

ADMINISTRATIVE REGULATIONS

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PURPOSE

I. Purpose:

The purpose of this regulation is to establish a manual that will assist all departments in interpreting various administrative policies that, from time to time, will be issued by the City Manager in accordance with Chapter II, Article 3 of the Costa Mesa Municipal Code.

II. Policy:

- A. The City Manager shall be responsible for issuing and distributing all Administrative Regulations,
- B. Each department will be issued said manuals and it will be the responsibility of each Department Director to see that all employees are informed of the administrative policies.
- C. All administrative policies will apply and be binding on all employees.
- D. The administrative policies will not supercede the memoranda of understanding or the Personnel Rules and Regulations.

III. General Content:

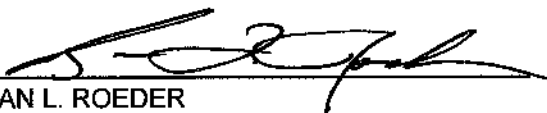
- A. The Administrative Regulations will be broken down in the following categories:

- A. R. 1. General Administration
- A. R. 2. Personnel
- A. R. 3. Finance and Payroll
- A. R. 4. Legal Matters
- A. R. 5. Use of City Property and Buildings
- A. R. 6. Safety and Accident Reporting

These categories may be changed and/or elaborated on to meet the current needs of management.

IV. Effective Date:

The effective date of this Administrative Regulation is January 1, 1969, and subsequently revised July 30, 2000.


ALLAN L. ROEDER
CITY MANAGER

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 1.1

Section 1-6

November 25, 1986 (Revised)

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VI. The effective date of this revised Administrative Regulation is
December 1, 1986.



ALLAN L. ROEDER
CITY MANAGER

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 1.3

Section 1-3

Revised July 1, 1982
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REAL PROPERTY ACQUISITION POLICY

I. Purpose:

The purpose of this procedure is to establish uniform guidelines for the purchase of property by any department of the City or Redevelopment Agency subsequent to project approval in the annual budget. This procedure applies to properties purchased for parks, public facilities, street widenings, redevelopment, community development and other Capital Improvement Projects. This procedure will also apply to projects which the City Council or Redevelopment Agency approves outside of the normal budgetary process.

This policy will be supplemented by a real property acquisition procedure manual (RPAP Manual).

II. Policy:

A. General:

1. A Project Manager will be assigned by the appropriate Department Head to all projects covered by this policy, and will be responsible for developing a comprehensive schedule for design, appraisal and acquisition of right of way, award of bid and construction. All potential real property acquisitions within a redevelopment project area will be the responsibility of the Executive Director of the Redevelopment Agency as Project Manager. The schedule will be reviewed with the departments involved so that appropriate manpower scheduling can be implemented. This review process is also intended to assist in identifying potential problems with the project.
2. The Project Manager will determine the property to be acquired, the rationale for the acquisition and the financial limitations of the acquisition. The latter is to be coordinated with the Finance Director. A recommendation will be submitted by the Project Manager to the City Manager outlining the project schedule, the suggested financial limitations and source of funding. The City Manager will either approve the recommendations or return the submittal to the Project Manager for further revision.

TRAVEL EXPENSE ALLOWANCE

I. Purpose:

The purpose of this regulation is to establish guidelines for attendance at various conferences and meetings from which the City will derive a specific benefit through attendance by City personnel.

II. Policy:

- A. Attendance at conferences shall be allowed only when said conference is planned for in the department's budget, and a written request is made to the City Manager sixty (60) days prior to the event.
- B. The only persons permitted to attend out-of-state conferences shall be department heads, unless specific permission shall be granted by the City Manager.
- C. Out-of-state conferences shall be attended only every other year, unless special permission is received from the City Manager. This provision shall be deviated from only in exceptional cases, i.e.
 - (a) when a member of the staff is a national officer in a recognized professional group which is conducting the conference, or
 - (b) when a member of the staff is formally invited to participate as a major contributor of the planned program. Prior approval must be obtained from the City Manager. For these exceptions in all cases, at least sixty (60) days prior to the date of the conference, a written request shall be directed to the City Manager, accompanied by all necessary explanatory data concerning the conference.
- D. Any department head who plans to attend or send an appropriate alternate to a conference within a five-hundred (500) mile radius of the City of Costa Mesa must budget such conference in regard to expenses and make a written request to the City Manager sixty (60) days prior to the event and obtain permission to attend.

III. Out-of-City Travel:

A. Advance Payments

If in the judgment of the City Manager, the estimated expense for contemplated travel out-of-city is too high to expect the employee to finance the trip and be reimbursed upon his return, the City Manager may authorize advance payment of a maximum of Four Hundred (\$400) Dollars to the employee. An advance in excess of Four Hundred (\$400) Dollars must have Council approval prior to being issued.

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Advancing of money for travel expenses does not constitute approval for the expenditure of the entire amount so advanced, as all expenditures must be justified and approved.

B. Transportation

Tourist class airplane passage will be considered standard for all out-of-state travel. Air travel is usually more economical in time and money than other modes of transportation in making long trips. Round trip tickets shall be purchased whenever air transportation is used. Receipts for transportation expenditures must be obtained and submitted with the expense claims. No travel allowances will be made in excess of actual costs of transportation.

Use of personal automobiles for out-of-state travel must be approved when the convenience of the City is served, and under certain circumstances when the convenience of the employee is served. When personal automobiles are approved for out-of-state travel, total payment for travel will not exceed the cost of tourist class air passage.

Use of personal automobile for out-of-city trips within the state may be approved by the City Manager. When this mode of transportation is used, a flat rate of twenty-one (21¢) per mile will apply; however, in no case will the amount paid exceed the cost of air passage. Parking and/or storage costs will also be allowed.

When air transportation is used, expenses for local transportation such as taxicab and bus fare will be allowed whenever such transportation is necessary for the conducting of City business.

C. Lodging

Expenses will be allowed for adequate lodging. Hotel accommodations should be appropriate to the purpose of the trip. Receipts for lodging must be provided to obtain reimbursement.

D. Telephone and Telegraph

Telephone and telegraph charges will be allowed for official calls.

E. Meals

A maximum of thirty-six (\$36.00) dollars per day shall be allocated for meals on all trips and/or conferences. Receipts for meals are required; however, the employee need not submit receipts for meal expenditures totaling \$25.00 or less for a one-month period.

F. Registration Fees

Wherever possible, advance registration should be made. However, if this is not accomplished and the employee pays for registration upon arrival at said conference, a receipt or some other indication of the fee shall be provided with the expense claim.

G. Lodging, Meals and Travel Time When Traveling by Personal Car

In instances where use of personal automobiles for out-of-state travel is approved for the convenience of the employee, lodging, meals and other expenses will be allowed on the same basis as if the employee had traveled by air.

Travel time will also be allowed on the same basis as if the employee had traveled by air. The employee will charge to the City only the time that would have been required to make the trip using air transportation. Any time used in excess of air travel time will be charged to said employee's vacation credit.

IV. Reimbursement:

To be reimbursed for travel expenditures, an employee must sign his expense claim, obtain department head and/or City Manager approval. No reimbursement shall be made until the expense claim has been properly executed and approved, and submitted and approved by the City Council. To be reimbursed for travel expenditures, an employee must file an expense claim. All conference expense claims must be submitted to the City Manager within ten (10) days after returning from the conference and/or trip. Receipts for all items must be attached to the expense claim except as provided in Section III.E.

V. Settlement of Advance Payments:

If an employee has drawn expense money in advance, a settlement must be made on the basis of actual expenses. If actual expenses exceeded the advance, upon approval of the City Manager, said expenses will be reimbursed. If actual expenses do not exceed the expense advance received, said employee shall attach a personal check made payable to the City of Costa Mesa for the unused portion of said advance to his conference expense claim.

It is again emphasized that advance payments do not constitute approval to spend the entire amount advanced. All expenditures must be justified.

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3. The Project Manager will determine the availability of the Real Property Section subject to the approval of the Director of Public Services or the Assistant City Engineer. The Project Manager will notify the Real Property Agent of the property to be acquired and of the financial limitations. All pertinent correspondence regarding the progress of real property negotiations will be submitted to the Director or Assistant City Engineer currently with the Real Property Section.
4. The Project Manager will be responsible for selecting the appraiser to be used and for approval of all appraisal contracts. Once the appraisal report is accepted, the Project Manager and Real Property Agent will establish an acceptable time schedule for negotiations (typically 30-45 days maximum).

B. Acquisition by Negotiation:

1. The Real Property Agent under direction of the Project Manager will negotiate for the purchase of the project. At the discretion of the Project Manager he may also be the responsible party in the event other City or contract personnel are required for Relocation Assistance and/or appraisal purposes.
2. The City Attorney's office will be responsible for legal advice, opinions, and documents as required by the Project Manager for acquisition purposes. All requests and responses will be in writing.
3. The Project Manager will submit the negotiated price, with the appropriate back-up material, to the City Manager for presentation to the City Council.
4. The Project Manager and Finance Director will determine the escrow terms and escrow closing date after considering cash availability and will notify the City Manager and Real Property Agent of the approved escrow closing date. The Project Manager shall provide written authorization approving the terms of each escrow after review by the City Attorney.
5. The Project Manager will request approval from the Finance Director to obtain a warrant. The Finance Director will approve the warrant request and recommend it to the City Manager for his approval. The City Manager will approve the warrant and submit it for Council Action. The Finance Director will release the warrant for deposit in escrow no sooner than two days before escrow closes.

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6. The Real Property Agent, after City Council approval, will transmit the warrant, complete the City or Redevelopment Agency obligations under the terms of the escrow agreement and ensure that all necessary documents are recorded.

C. Acquisition by Condemnation Lawsuit:

1. The Real Property Agent, under direction of the Project Manager, will submit all necessary documentation in accordance with the RPAP Manual to the City Attorney's office and/or condemnation counsel. The City Manager will be notified concurrently of the necessity to condemn.
2. The City Attorney's office will prepare or approve all documentation in accordance with the RPAP Manual necessary for public hearings. It is the responsibility of the Project Manager to ensure that all of the required documentation is available for the public hearing.
3. The City Attorney shall be delegated the specific authority by the Council at the time the City Council adopts the Resolution of Necessity to Condemn to culminate the acquisition of the property. The Real Property Agent and Project Manager will assist the City Attorney's office as required.
4. The City Attorney's office, after the condemnation lawsuit is filed, will keep the Real Property Agent and Project Manager advised on (1) any changes in City's appraisal of the property, and (2) the amount of all demands by the property owner and any other persons entitled to payment. The Project Manager and the attorney will discuss any request for negotiation or settlement authority regarding maximum dollar amount before Council considers such a request. If the amount of the request exceeds the amount budgeted for the property's acquisition, the Project Manager shall confer with the Finance Director concerning the availability of funds. A Budget Adjustment request with the recommendation of the City Manager shall be submitted to Council along with the attorney's request.
5. The Real Property Agent, under the direction of the Project Manager, after judgment or settlement in the condemnation lawsuit will be responsible for recording the necessary documents, obtaining title insurance if required, and taking any other steps needed to effectuate transfer of title to City. The City Attorney shall assist as required.

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D. Relocation:

The Project Manager will be responsible for coordinating the relocation assistance program utilizing the services of the Real Property Section and/or the relocation consultant as required. All applicable City, State, and Federal relocation assistance guidelines will be adhered to.

III. Effective Date:

The effective date of this Administrative Regulation is _____.



FRED SORSABAL
City Manager

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 1.4

Section 1-3

August 1, 1977

WARRANTY FILE

I. Purpose:

The purpose of this regulation is to establish an Administrative Regulation concerning a maintenance warranty file on new equipment.

II. Policy:

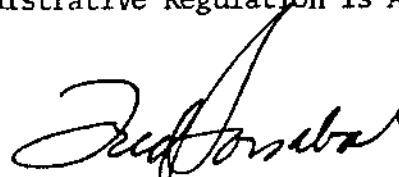
In the event a piece of equipment needs maintenance or repair and there is a possibility that it may still be under warranty, either the Facilities and Equipment Superintendent or the Purchasing Agent should be notified.

III. Procedure:

- A. For heavy equipment and vehicles, employees should notify the Facilities and Equipment Superintendent since he will maintain a current warranty file for the purpose of determining if any warranties on this equipment are still in effect.
- B. For office equipment (typewriters, adding machines, etc.) where the maintenance of this equipment needs outside repair service, employees should notify the Purchasing Agent who will also maintain a warranty file on this equipment.
- C. As a check to the above warranty card filing system, the warranty period will be placed on the computerized fixed asset input sheet. This will be done by the Facilities and Equipment Division when they send the purchase order back to the Accounting Division. The warranty period should also be placed on the purchase order form.
- D. Once this information is placed on the FMS fixed asset input sheet by the Accounting Division, MIS will place it in the computer bank and this information will be printed out with the report on fixed assets.

IV. Effective Date:

The effective date of this Administrative Regulation is August 1, 1977.



FRED SORSABAL
CITY MANAGER

CONTRACT ADMINISTRATION POLICY

I. Purpose:

The purpose of this Regulation is to establish consistent procedures for the administration of all contracts/agreements (Professional Services, Consultant Services, Architect and Engineer Services) between the City and all private, public, and non-profit agencies. The Procedures set forth in this Regulation are supplementary to the adoptive purchasing procedures as set forth in Title 2, Chapter V, Article 2 of the Costa Mesa Municipal Code and the Purchasing Policies and Procedures Manual (see Sections 9 and 10). This policy does not include public projects which are governed by the "State of California Public Contract Code."

II. Procedure:

- A. All contracts/agreements for services rendered will be in writing and approved "as to form" by the City Attorney's Office. Insurance certificates will be reviewed and approved by the City's Risk Manager or City Attorney. Each contract/agreement will identify the name and classification of the Project Manager.
- B. A Project Manager will be assigned by the appropriate Department Head to oversee the preparation, execution, renewal and payment of each contract/agreement. The employee delegated this responsibility will have a working knowledge of all applicable rules and regulations pertaining to contract procedures.
- C. All contracts/agreements will require an appropriate level of authorization prior to execution. The following authorizations are based on the total contract/agreement costs for a twelve-month period:
 - 1. For agreements and contracts of greater than \$25,000, City Council approval and the Mayor's signature is required.

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2. For agreements and contracts of \$5,000 to \$25,000, the City Manager's signature is required.
 3. For agreements and contracts of less than \$5,000, the Department Head's signature is required.
- D. Originals of all duly executed agreements/contracts, including approved insurance certificates, are to be filed with the City Clerk's Office and a copy attached to the initiating Purchase Requisition.
- E. It is the responsibility of the Project Manager to review the contract and make a recommendation to renew, revise, or terminate the agreement 60 days in advance of the expiration date. Notification as to the changed status of the agreement/contract will be in writing to the Purchasing Supervisor and, if required, a Change Order will be processed.
- F. All change orders to contracts/agreements will require the following appropriate level of authorization prior to execution:
1. The Department is to secure appropriate approval signatures and verify availability of funds prior to submitting a Purchase Requisition for a Change Order. State on the Requisition the reason for the Change Order. (On annual contracts, changes apply to the "per year" contract amount.) Where funds are not available, a Budget Adjustment will first be required and approved in accordance with A.R. 3.4.
 2. The City Manager's approval is required for all Change Orders equal to or greater than \$5,000, or greater than 10% of the original contract/agreement if the original contract/agreement was awarded by the City Council. City Manager approval is also required when the total amended contract/agreement now exceeds the threshold requiring City Manager approval (i.e., \$5,000).
 3. City Council approval is required when an individual Change Order or the sum of all Change Orders on a

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Council awarded contract/agreement equals or exceeds 20% of the original contract/agreement amount or when the total amended contract/agreement now exceeds the threshold requiring Council award (i.e., \$25,000). For contracts/agreements now exceeding the \$25,000 threshold, future Change Orders approval limits shall comply with the above requirements.

4. After obtaining appropriate approvals and submitting a Purchase Requisition, the Financial Planning Division will issue a written Purchase Order Change Order to the contract/agreement, which will be distributed and processed in the same manner as a regular Purchase Order.

III. Effective Date:

The effective date of this Administrative Regulation is February 1, 1999.


ALLAN L. ROEDER
CITY MANAGER

ACQUISITION OF MICROCOMPUTERS

I. Purpose:

The purpose of this regulation is to establish a policy regulating the acquisition of personal computers, related software and their potential interface with the City's client server environment.

II. Policy:

It is the policy of the City to encourage the proper use of personal computers and related software. This regulation is intended to provide for the orderly acquisition of hardware and software; to regulate the connection of personal computers to the City's client server environment; to promote the sharing of experiences and applications between or among departments; and to prevent the establishment of unknown or duplicate data bases.

For the purposes of this regulation, personal computers shall be operationally defined as either lap top computers, or desktop computer systems having one or more internal disc drives, with the capacity for adding peripheral equipment (e.g. printers, modems, screens, etc.)

III. Procedures:

A. The acquisition of personal computer hardware and software shall follow the normal budgetary and purchasing procedures. It is the responsibility of the Department requesting approval of said equipment to adhere to the following additional steps.

1. Department shall submit a request for acquiring hardware and software to the Management Information Services Division (MIS) for evaluation and recommendation. The request should include the expected application usage along with any other relevant information required.
2. MIS will evaluate the request and provide recommendations regarding the acquisition of hardware/software or suggest alternative solutions in support of the Department's needs.
3. Upon receipt of the recommendation from MIS, the Department shall follow the normal budgetary process in requesting approval for the hardware/software acquisition.

B. In addition to the preceding procedures for the acquisition of personal computers hardware and related software, the following regulations shall apply regarding the operation and maintenance of this equipment.

1. The MIS shall be responsible for the following:
 - a. Assist Departments in evaluating their business problems and provide them with hardware and software alternatives to accomplish their objectives.

- b. Maintain an office automation library of software and hardware that is proven and reliable, requires minimum technical support, but is easy to use and offers clear productivity opportunities for the Departments.
 - c. Maintain an inventory control of all workstation hardware and software.
 - d. Provide training and limited consulting advise on approved software, or make recommendations for it.
 - e. Provide the Departments with the capability to connect to the City's client server network for the purpose of retrieving data files if such an application is justified.
 - f. Periodically review the user workstation for adherence to operating standards.
2. Participating Departments are responsible for the following:
- a. Obtaining approval and budgetary appropriations for purchase of personal computers, peripheral devices and application software packages after first having obtained MIS review and recommendation.
 - b. Operate their personal computers in the approved manner as prescribed in the City's Computer Policy whenever they are utilized.
 - c. Provide security and control of hardware, software and data in their area. Data of a confidential nature must be safeguarded from unauthorized access.
 - d. Report to MIS the delivery of personal computers, peripheral devices and application software packages. Report to MIS with all appropriate details, all newly created databases that do not substantially duplicate existing known information.
 - e. Protect copyrighted packages from unauthorized copying or use so as to not create legal liability to the City for copyright infringement.
 - f. The Department shall be fully responsible to see that all equipment is properly handled per the recommendations of the manufacturer and MIS. Requests for maintenance are to be sent directly to MIS via the Help Desk System for action. MIS will arrange for proper repair of equipment.

IV. Effective Date:

The effective date of this Administrative Regulation is January 1, 1984 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

EMPLOYEE/MANAGEMENT MEETINGS

I. Purpose:

The purpose of this Regulation is to establish consistent procedures for the participation in regular Employee/Management Meetings. These meetings are designed to enhance interdepartmental communications and share pertinent information on City operations and activities.

The Employee/Management Meetings are designed solely for the sharing of information of a general nature throughout the organization. Consequently, these meetings are not a forum for grievances but rather intra-department communication.

II. Policy:

The growth of the City organization, coupled with the decentralization of work areas, has brought about a need for enhanced employee/management communication at various levels. It is the City Manager's policy that a regular meeting, hosted by the City Manager, be held with a non-management employee representing each Division within the City.

III. Procedure:

- A. An Employee/Management Meeting will be held on a regular basis with the time and location to be established by the City Manager.
- B. Each Department/Division Head will select a non-management employee to represent their Division at this meeting. It is the responsibility of the Department Head to assure that each selected employee is notified at least one week prior to the meeting. To enhance communication, selected employees should meet with their Division Head and discuss Division activities prior to attending the Employee/Management Meeting. Division Heads are also encouraged to meet with the employee after the meeting for a brief update.
- C. Each month a different employee should be selected to represent their Division.

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CITY OF COSTA MESA

A. R. 1.7

Section 1-4

August 11, 1988

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- D. Division representatives will participate in a roundtable discussion and give a brief status report of activities within their respective Divisions. The City Manager, along with select management personnel, will provide an overview of general City activities and facilitate roundtable discussions.
- E. Summary minutes of each Employee/Management Meeting will be posted in work areas throughout the City.
- F. Each Department Head shall notify the City Manager's Office by the end of each month as to who will be attending the next meeting from their Divisions.

IV. Effective Date:

The effective date of this Administrative Regulation is September 1, 1988. The first Employee/Management Meeting will be held Wednesday, September 7, 1988.



ALLAN L. ROEDER
CITY MANAGER

COUNCIL REPORT FORMAT

I. PURPOSE

The purpose of this regulation is to establish standardized procedures for the preparation of City Council agenda and Study Session reports. These procedures are intended to ensure that all reports submitted to the City Council from staff will be formatted similarly and contain essential information requested by the Council.

II. POLICY

It is the City Manager's policy that all departments follow the "Council Agenda Report Guidelines", attached hereto, for preparation of all agenda and study session reports that appear on a City Council Meeting and/or Study Session agenda.

III. PROCEDURE

The "Council Agenda Report Guidelines" are hereby adopted as the approved procedure for preparation of reports to the City Council.

IV. EFFECTIVE DATE

The effective date of this Administrative Regulation is June 17, 1997, revised on April 1, 1998, August 19, 2002, May 22, 2003 and with the latest revision on June 28, 2004.


Allan L. Roeder
City Manager

Attachment: "Council Agenda Report Guidelines"

I. PURPOSE OF THE GUIDELINES

The purpose of these guidelines is to establish standardized procedures to be used by all City departments that prepare City Council agenda and Study Session reports. These procedures are intended to ensure that all reports submitted to the City Council from staff will be formatted similarly and contain all essential information. The Council Agenda Report System (CARS) has been designed to match the report format below.

City Council Report

The approved "City Council Agenda Report" template shall be used for all agenda item categories. The template is stored in the shared drive. To access, double click *My Computer*, then double click on *Ctyshr on Citysrv3(S)* and, lastly, double click the *Council Agenda Report Format* folder. The template can also be accessed at <http://cars>. Staff shall use Microsoft Word & Outlook for the purpose of preparing, reviewing, and finalizing the reports. Microsoft Word shall be used for scanning and hyper-linking attachments to the final reports. CARS shall then be used for uploading the reports and attachments for the City Clerk's Office.

Reports that Are Not on the Agenda

From time to time, members of the City Council may request information, reports, studies, etc. When such items do not appear on a Council Meeting or a Study Session agenda, responses will be provided to the City Manager, with adequate copies forwarded for distribution to the entire Council.

II. REPORT FORMAT

The following guidelines shall be used in report preparation:

a. MEETING DATE

Type in the City Council meeting or study session date on which this report is to be considered (e. g., April 19, 2003).

b. ITEM NUMBER

Leave this blank. The City Clerk will assign a number after the final agenda is prepared.

c. SUBJECT

Include the project title, subject, file number, etc., to be used on the Council Agenda. If the subject concerns property, include the business name and, if applicable, street address.

d. DATE

Indicate the date the document was prepared.

e. FROM

Indicate the department name and, if appropriate, the name of the division submitting the report.

f. PRESENTATION BY

Specify the name and title of the staff person who will be making the presentation to the City Council. There will be no staff presentation on consent calendar items, unless requested by the Council.

g. FOR FURTHER INFORMATION CONTACT

Specify the name and phone number of the staff person to contact regarding this item.

III. CONTENT OF REPORTS AND MEMORANDUMS

City Council Agenda Reports shall include the following headings in bold and underlined for clarity. The body of the text will be justified.

a. RECOMMENDED ACTION:

All reports shall begin with this topic and include specific procedural recommendations for the Council to consider.

This category shall be a brief summary of the conclusion category, to be used by the City Clerk on the Council Agenda. The recommendation shall be similar to the specific "Council Motion" desired. When applicable, the recommended action should include the dollar amounts of all agreements, change orders, budget adjustments, etc.

b. BACKGROUND:

The Background Section is comprised of a short explanation as to why this item is on the agenda. Did Council direct the report to be prepared? Is the report a response to a citizen's request? Is this a response to any of City Council's Quarterly Community Objectives? If the latter is applicable, number and title should identify the Objective. An explanation of the specific request/application and chronology of any previous Council action should be included.

c. ANALYSIS:

The Analysis Section provides a full objective discussion of the subject including, if applicable, both advantages and disadvantages.

d. ALTERNATIVES CONSIDERED:

The Alternatives Considered Section should identify possible alternatives to the Recommended Action. This Section provides Council with information on what other alternatives or options were considered and evaluated by staff prior to making a recommendation.

e. FISCAL REVIEW:

This Section should briefly identify any fiscal impact that might result from the project/proposal. Any one-time or recurring costs as well as budget/revenue impacts should be addressed. If there is an impact, the Finance Director's signature should also be included in the signature lines on the Staff Report. If there is no impact, the report should include the following wording. "There is no fiscal impact."

f. **LEGAL REVIEW:**

Briefly identify any legal review conducted by the City Attorney's Office. Identify any potential liability issues. If legal review was necessary, the City Attorney's signature should be included in the signature lines on the the Staff Report. A separate memorandum from the City Attorney to the Council will also satisfy this requirement. If no legal review is required, the following wording should be included "There is no legal review required for this item."

g. **CONCLUSION:**

The Conclusion Section is optional depending upon the length and content of the Analysis Section. An Analysis that leads the Council through three pages of detailed information, requires a Conclusion Section. Conversely, a two-paragraph analysis does not require a Conclusion Section.

The Conclusion Section also offers staff the opportunity to provide professional opinions. The opinions must be supported by the factual data supplied in the Analysis Section.

h. **TITLE BLOCK:**

The name and title of the individual submitting/preparing the report and the name and title of the responsible Department Director should be included at the end of the text (preparer first, Department Director second), underneath signature lines. This ensures that the Department Director has reviewed the contents of the report. When applicable, enter the name and title of the City Attorney and/or Finance Director underneath signature lines. These title blocks should be located below those of the staff person who prepared the report and the Department Director.

i. **ATTACHMENTS**

The Attachments provide a permanent record of the evidence considered by Council when making their decision. Note that in the case of color attachments, the submitting department is responsible for providing the appropriate number of color copies for the Council members to the City Clerk's Office.

Attachments should be identified in *numeric* order immediately following the signature block:

Example: Attachments "1" - Draft Ordinance
"2" - City Attorney's Report

All pages should be numbered. The original attachment documents should be included ONLY with the original staff report that goes to the City Clerk's Office. Refer to the CARS Manual for instructions on scanning and hyper-linking of attachments and exhibits.

After all attachments are included and placed in order, they should be identified in the top right margin (e.g., Attachment 1). For both electronic and scanned documents, this can be accomplished by selecting View on the toolbar and using the Header feature. Refer to the CARS manual for details.

j. City Staff And Outside Distribution

When appropriate, a listing by department, title or name, of those additional individuals who have received a copy of the report/memorandum should be provided. Include names and addresses of outside individuals or agencies to receive copies of the staff report as well. It is up to the originating department to make copies of the report document and distribute them to other individuals and outside agencies.

k. Page Numbering

CARS will automatically number all agenda report pages in the bottom right-hand corner. Remember to number all attachments to sequentially match the agenda report. For example, for a six-page report, Attachment 1 should be numbered page 7.

l. Version Control

In order for the staff person who prepared the report and the City Clerk's Office Staff to be assured that they both have the same final version of the staff report, the former shall complete the last line on the staff report template. This line contains "File Name", "Date", and "Time".

IV. PRINTING (other than by E-Agenda process)

a. Printing

All reports shall be printed single-spaced and double-sided on 8 1/2" X 11" paper. The original report and attachments that are delivered to the City Clerk's Office should be printed entirely on white paper. Copies of staff reports should be printed on blue with all attachments printed on white. To maintain consistency in type style, the following fonts are required:

Laser Printers: 12 cpi Arial
Others: Style and spacing to closely match above

b. Plans

Attached plans should be 8 1/2"x11" in size. Larger 11"x17" plans may be used if folded to 8 1/2" x 11".

V. DISTRIBUTION

a. Council Agenda Report Due Date

The original completed staff report (with wet signatures), along with all attachments, and one identical copy of the report and attachments are due in the City Clerk's office by no later than 2:00 p.m., the Thursday twelve calendar days preceding the Council Meeting. Late reports may not be accepted unless approval is given by the City Manager.

b. City Council Distribution

The City Clerk's office will distribute reports to the City Council, City Manager, Finance Director and City Attorney. The generating department is responsible for distribution to all other individuals and parties.

VI. SERVICE REQUEST FOLLOW UP

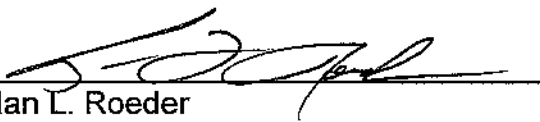
The City Manager shall identify all service request follow up items as well as the responsible department(s) at the Management Advisory Committee (MAC) meeting held the Tuesday morning following the Council meeting. If needed, a primary and secondary department will be identified as well.

Based on this information, the City Clerk's Office shall provide to the appropriate department(s) a Service Request Follow Up form by no later than the Friday following the MAC meeting. The form shall include: the number assigned to the request; a synopsis of the request; and the name, address and phone number of the speaker that raised the issue.

The department(s) shall prepare a memo to indicate the background of, and resolution to the service request. The department(s) shall then forward one hard copy to the City Clerk's Office and the requester, and upload the response on to the CARS system. The information will be included in the agenda posted on the website. The response memo shall be generated on yellow paper. The original request form is to be attached to the City Clerk's copy. The deadline for submission of all completed forms is 9:00 a.m. the Wednesday (three working days) prior to the upcoming Council meeting. It is understood that some responses will require more time to resolve.

VII. EFFECTIVE DATE

The effective date of this Administrative Regulation is June 17, 1997, and subsequently revised on June 28, 2004.


Allan L. Roeder
City Manager

TUITION REIMBURSEMENT

I. Purpose:

To establish procedures for providing a method of reimbursement for employees attending classes on their own time which are of direct benefit to the City Department in which they work, and when such costs are not reimbursed or paid for by other sources.

II. Policy:

Note: Refer to appropriate Memorandum of Understanding for other tuition reimbursement provisions or exceptions to this regulation.

The Administrative Services Director or designee will determine what type of courses will be subject to reimbursement prior to commitment by the employee. To become eligible for tuition reimbursement, employees shall have completed one year of service prior to enrollment in such classes. Courses considered by the Administrative Services Director for reimbursement shall be designed to directly improve the knowledge of the employee relative to his/her specific job, be directly related to a promotional position in the employee's occupational series, or be at the recommendation of the employee's supervisor.

The Administrative Services Director may approve reimbursement upon the successful completion of educational courses in the dollar amount of \$1,250 maximum per fiscal year for qualifying expenses (refer to MOU for specifics). Qualifying expenses include tuition and/or textbook costs. City vehicles will not be authorized for use for transportation to and from these classes, nor will mileage allowance or parking be provided. Professional development activities are not eligible for reimbursement through the Tuition Reimbursement Program. The benefit to the City and availability of funds for such activities are determined and budgeted within each department.

Any educational assistance reimbursements to City employees will **not** be reported as taxable income per the Internal Revenue Service (Chapters 11 and 12 of Publication 970). The City will not provide education assistance to employees in excess of the annual Employer-Provided Educational Assistance allowed by the IRS per Chapter 11 of Publication 970.

III. Procedure:

- A. Prior to enrollment in a course for which the employee will seek reimbursement, said employee must submit, in writing, the following to his/her Department Director:

Request for Tuition Reimbursement. The employee shall request approval for a given course by filling out PART I of the TUITION REIMBURSEMENT form. The request shall include the name and location of the school, the course title, the cost of enrollment in the course, textbook cost (if any), and the reasons why this course is of direct benefit to the City of Costa Mesa.

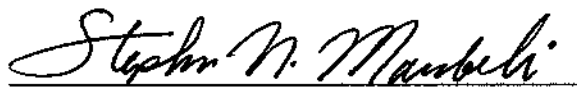
- B. The Department Director will forward the request and his/her recommendation to the Administrative Services Director for approval.
- C. The employee will pay all costs for the approved course. The TUITION REIMBURSEMENT form will be kept in the employee's personnel file. After completion of the approved course, the employee will complete PART II of the TUITION REIMBURSEMENT form with the eligible costs of the course. The employee will include all receipts along with an official report from the school showing that said employee has maintained a passing grade. The

employee will sign the bottom of the TUITION REIMBURSEMENT form and submit it to their Department Director for approval.

- D. The Department Director will then forward the request to the Administrative Services Director for final approval and submit it to the Finance Department for reimbursement. Human Resources shall receive a copy of the employee's grades for inclusion in the employee's personnel file.

IV. Effective Date:

This Administrative Regulation is effective September 1, 1995 and subsequently revised July 30, 2000 and May 7, 2008.



STEPHEN N. MANDOKI
ADMINISTRATIVE SERVICES DIRECTOR



ALLAN L. ROEDER
CITY MANAGER

TERMINATION OF EMPLOYEES

I. Purpose:

The purpose of this regulation is to establish a procedure for setting termination dates and processing all City employees leaving City employment.


II. Procedure:

- A. For employees who are retiring, resigning, being discharged, fail probation or laid off, each City department shall show the last day worked as the termination date on the Personnel Action Form. This means the last day physically on the job. Employees cannot extend their termination date by use of any leave time (i.e. vacation, executive leave).
- B. Departments must submit the employee's final Personnel Action Form and a Notice of Resignation/Separation Form or personal letter to Personnel in a timely manner for all terminating employees. The employee's time sheets should be submitted in the customary manner.
- C. Terminating employees shall report to Personnel. Personnel will provide terminating full-time employees the opportunity to participate in an exit interview. Eligible individuals will be referred to the Benefits Coordinator to be informed about continuing benefits for which they are eligible.
- D. It will be necessary for terminating employees to turn in to their supervisor or Personnel all City property such as the Employee Handbook, keys, uniforms, identification cards, and carpool parking tag. Terminating employees will also be expected to notify their supervisor or Personnel of all computer systems for which they had access.
- E. After receiving the Personnel Action Form from Personnel, the Finance Department will be authorized to process the final paycheck. The final paycheck will not be made by direct deposit and will be forwarded to Personnel for distribution to the terminated employee. Depending upon the effective date of termination and receipt of the Personnel Action Form, terminating employees will receive their final paycheck on the next regularly scheduled paycheck date. The City is exempt from California Labor Code Section 201, which states wages earned and unpaid are due and payable immediately to a discharged employee.

III. Effective Date:

The effective date of this revised Administrative Regulation is January 22, 1974 and subsequently revised February 1, 2003.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

SICK LEAVE

I. Purpose:

The purpose of this regulation is to establish a uniform procedure whereby an eligible employee using sick leave will have said sick leave properly charged to his/her sick leave account. Sick leave is a privilege granted employees to allow the continuation of compensation and fringe benefits in case of personal or family illness, injury or death. Sick leave is not an earned right to be taken as earned vacation.

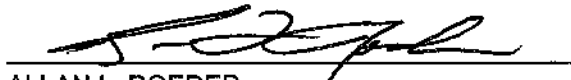
II. Procedure:

- A. Sick leave shall be used in case of a bona fide illness of the employee. Sick leave may also be used for serious illness or emergency of his or her child, parent or spouse who is incapacitated and requires the service of a physician, and when the presence of the employee is required and shall not be used in lieu of or added to vacation.
- B. Each employee shall have one (1) hour deducted from his/her accrued sick leave time for each hour of sick leave taken. Example: An employee with a regular work day of eight (8) hours shall have eight (8) hours deducted from his/her accrued sick leave time for each regularly scheduled working day that he/she is on paid sick leave. An employee assigned to work twenty-four (24) hour shifts shall have twenty-four (24) hours deducted from his/her accrued sick leave time for each complete shift missed while on paid sick leave.
- C. No employee shall be entitled to accrue or to take sick leave with pay while absent from duty for any of the following reasons:
 - 1. Disability or illness arising from compensated employment other than with the City of Costa Mesa.
 - 2. Leave of absence without pay.
 - 3. Absence due to any reason other than certifiable illness or intentional self-inflicted injury or illness, unless otherwise approved by the City.
- D. Employees may be required to utilize their sick leave in cases where an injury to an employee has yet to be determined to be work-related. The Risk Management Division will notify the employee and supervisor when Workers Compensation will be applied to the absence and the employee can begin using a disability time code.

III. Effective Date:

The effective date of this Administrative Regulation is July 13, 1969 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

MAXIMUM AGE POLICY FOR PUBLIC SAFETY EMPLOYEES

I. Purpose:

The purpose of this regulation is to establish in accordance with the Age Discrimination in Employment Amendments of 1996, a uniform procedure whereby safety employees attaining the age of 60 must submit a request for an extension of employment. The amendments restore the public safety exemption of the Age Discrimination Employment Act. Under the exemption, the City may reestablish age limits for retiring public safety officers.

II. Policy:

All safety employees attaining the age of 60 may request, sixty days prior to their 60th birthday, initially, and sixty days prior to each subsequent birthday, an extension to continue their employment with the City of Costa Mesa.

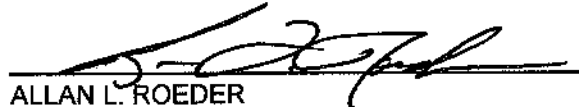
III. Procedure:

- A. Employees attaining the aforementioned age wishing to continue employment must:
 - 1. Submit in writing, sixty days before their aforementioned birthday, a request to continue employment.
 - 2. Submit in writing, sixty days before each subsequent birthday, a request to continue employment.
- B. Employees shall submit the request to their respective Department Director. The Department Director shall either:
 - 1. In the Fire Department, accept the initial and subsequent requests if the employee has satisfactorily completed the most recent Physical Fitness Analysis or Physical Abilities Test.
 - 2. Consider all information submitted by the employee and shall also consider such aspects as: the essential functions, physical tasks and environmental conditions, of the position; recommendations and comments by the employee's supervisors; job hazards, safety and the general working environment and any other job-related criteria pertinent to the situation and attach his/her recommendations to the request. The Department Director will then forward the request to the City Manager's office with aforementioned recommendations for final action. The City Manager shall make the final decision relative to extensions of employment. It shall be the policy of the City Manager that justification for continuance shall be based solely on the benefit to the City of Costa Mesa.

IV. Effective Date:

The effective date of this Administrative Regulation is January 1, 1984 and subsequently revised July 1, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

TEMPORARY LIMITED/MODIFIED DUTY

I. Purpose

The purpose of this Administrative Regulation is to establish a uniform procedure for utilizing employees who have been released to return to work with temporary work limitations or restrictions by a licensed physician due to occupational or non-occupational injuries or illnesses; to promote effective use of valuable employee resources to maintain departmental productivity at the highest levels possible and to reduce the cost of employee absences.

II. Policy

Departments are encouraged to provide suitable temporary modified duty assignments in accordance with a doctor's work release instructions, whenever meaningful and/or needed work can be performed by the recuperating employee.

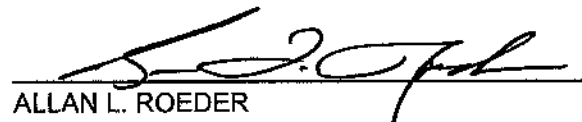
III. Procedures

- A. An employee, who is off work on personal leave, or industrial accident leave, is to notify his/her department immediately when any type of limited/modified duty work release has been obtained from his/her doctor. A sample "Medical/Return to Work Release" form is attached and may be considered for use by departments. Fire Department employees will use the form only to verify that the job description was reviewed by the treating physician.
- B. The department should evaluate the nature of the work limitations or restrictions imposed, review the work needs of the department, and identify a suitable assignment. The temporary assignment may be in the same, equal, or lower job classification. Risk Management should be consulted on all cases involving work-related injuries or illnesses before instituting the modified duty assignment.
- C. In cases of industrial accident leave, if the employee's own department does not have suitable modified duty to offer, Risk Management may arrange for a temporary alternate assignment to be provided within another city department. Sworn police officers will not be placed in a temporary alternate assignment outside of the Police Department.
- D. A temporary limited/modified duty assignment should not be altered, nor an employee returned to full and unrestricted duty, without the appropriate written medical clearance to do so.
- E. Employees off work on industrial accident leave who fail to notify their departments when given any type of a work release, may be subject to disciplinary action.

IV. Effective Date

The effective date of this revised Administrative Regulation is September 3, 1971 and subsequently revised on July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

SAMPLE ONLY

COSTA MESA FIRE DEPARTMENT MEDICAL/RETURN TO WORK RELEASE

Name _____

Shift Assignment _____

Date _____

_____ **Firefighter/Paramedic**

Responds to alarms of fire or other emergencies; utilizes various tools, equipment and methods to fight fires; responds to requests for emergency medical care and performs rescue activities; conducts fire prevention inspections, enforces fire related codes and ordinances. Must be able to sit, stand, walk, bend, crouch, squat, crawl, twist; climb ladders and stairs; work at considerable heights; lift, carry, drag, pull and push very heavy weights; perform work in physically demanding and adverse conditions, including heat, smoke, fire, high temperature, humidity and cramped spaces; exposure to allergenic and potentially harmful substances exists.

_____ **Fire Captain**

Same duties and physical requirements as above; in addition, performs responsible and advanced fire fighting and fire prevention work of a supervisory nature; supervises and participates in fire hazard inspection activities; supervises, trains and plans the work of Firefighters, Firefighter/Paramedics and Fire Engines.

_____ **Fire Engineer**

Same physical requirements as above. Performs advanced work in the prevention and suppression of fires; primary duties entail driving fire and rescue apparatus and operating fire fighting equipment. Must maintain a valid Class A, B, or Firefighter's Restricted Driver's License, with tanker and airbrake endorsements, and a valid Department of Motor Vehicles Medical Certificate.

DOCTOR'S VERIFICATION (for Fire Employees)

I have reviewed the job duties and physical requirements described on the reverse side of this form in determining whether the employee is released to return to work

Doctor's Name _____

Address _____

Phone _____

Doctor's Signature

Date

DOCTOR'S CERTIFICATION (for non-Fire Employees)

The captioned employee, whose job duties and physical requirements are described on the reverse side of this form, is released to return to work as follows:

_____ Full duty without restriction on _____
(date)

_____ With the following work restriction/limitations on _____
(date)

Restrictions: _____

Doctor's Name _____

Address _____

Phone _____

Doctor's Signature

Date

REEMPLOYMENT

I. Purpose:

The purpose of this regulation is to establish a uniform procedure for reemployment of regular City employees that resigned.

II. Policy:

Full time, permanent employees who resign from City employment while in good standing may be reemployed in their former job class or a lower job class in the occupational series. Such consideration for reemployment shall be available to said employee for a period of one (1) year following resignation in good standing. Employees shall meet existing standards and other criteria established by the Personnel Rules and Regulations as determined by the Administrative Services Director. A person reemployed may be required to successfully pass a physical and/or competency examination. Reemployment of an employee remains the sole discretion of the City.

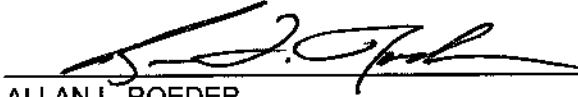
III. Procedure:

- A. Employees desiring consideration for reemployment shall so notify Personnel in writing.
- B. The Department Director must obtain concurrence from the Administrative Services Director or designee PRIOR to reemployment.
- C. The Department Director must justify to the Administrative Services Director when reemployment is above the employee's salary step at the time of resignation.
- D. This procedure is not applicable to employees that were laid off as outlined in the Administrative Regulation 2.26 or the Personnel Rules and Regulations.

IV. Effective Date:

The effective date of this Administrative Regulation is September 8, 1971 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

PART-TIME EMPLOYMENT

I. Purpose:

The purpose of this regulation is to establish uniformity in the use of seasonal and part-time employees regardless of job classification or department, and to establish clear definitions of the types of part-time employees.

II. Policy:

- A. SEASONAL EMPLOYEES are those employees that do not have a regular full-time budgeted position, but are scheduled to work over 60 hours per pay period for a limited time. Seasonal employees shall usually be employed for a maximum of 12 pay periods each fiscal year and shall be enrolled in the Public Agency Retirement System (PARS).
- B. PART-TIME EMPLOYEES are those employees that do not have a regular full-time budgeted position. However, budget funds are allocated and approved in the budget hearing process to allow these part-time employees to be scheduled to work no more than an average 60 hours or less per pay period on an ongoing basis. Employees so designated shall usually be enrolled in the Public Employees Retirement System (PERS) after initially reaching 1,000 hours in a fiscal year or, upon employment, the Department anticipates the employee will exceed the 1,000 hours in the fiscal year threshold.

III. Procedure:

- A. Employees hired on a seasonal or part-time basis shall be classified as part-time and specified as such in the "Remarks or Conditions" section of the Personnel Action Form.
- B. Employees designated as part-time employees will be responsible for the employee contribution to PARS or PERS upon eligibility. The City will contribute the "employer rate" as determined by PARS or PERS.
- C. Upon enrollment in PERS, part-time employees are eligible to select medical benefits through the PERS medical program. Part-time employees are responsible for paying the health premiums.
- D. Part-time employees will not be simultaneously employed through the City payroll system and a professional services contract. Though part-time employees may be paid at different rates based upon daily assignment, they must be in only one position in the payroll system.
- E. The total part-time employee hours for each budget element number will be reviewed at the annual budget hearing and approved by the City Manager. The approved hours will be monitored by each department and Personnel each pay period through payroll reports.

- F. It shall be the responsibility of the Department Director to notify Personnel that a part-time employee will continue to work past 1,000 hours in a fiscal year, prior to being enrolled in PERS. Failure to receive such notification will result in the initiation of separation paperwork for the part-time employee.

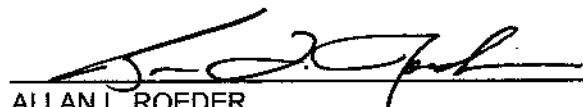
IV. Employee Status:

Seasonal and part-time employees are considered exempt from the classified service and are employed at the will of the City per Municipal Code Section 2-215(f).

V. Effective Date:

This effective date of this Administrative Regulation is effective December 1, 1990 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

PROMOTIONAL POLICY

I. Purpose:

The purpose of this regulation is to establish a uniform promotional compensation policy for all City departments.

II. Policy:

Employees promoted to non-supervisory classifications covered under the Basic Pay Schedule shall normally receive a minimum increase of five percent (5%).

Employees promoted to supervisory classifications covered under the Basic Pay Schedule shall normally receive a minimum increase of five percent (5%) or be compensated at five percent (5%) above the current base rate of the highest paid subordinate, whichever is greater. Assignment pays received by subordinate classifications may be considered when determining the appropriate pay step for supervisory classifications.

Employees promoted to classifications covered under the Executive Pay Schedule shall normally receive a minimum increase of five percent (5%) or be compensated at five percent (5%) above the current base rate of the highest paid subordinate, whichever is greater. Assignment pays received by subordinate classifications may be considered when determining the appropriate pay step for executive classifications.

This policy shall also apply to acting appointments.


The effective date of a promotion shall coincide with the beginning of a pay period.

Any deviation from the above policy, such as non-sworn supervisors of sworn staff, shall require prior approval by Personnel and the Administrative Services Director.

III. Effective Date:

The effective date of this Administrative Regulation is April 1, 1991 and subsequently revised on July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

LEAVE OF ABSENCE FOR NON-OCCUPATIONAL DISABILITIES

I. Purpose:

The purpose of this regulation is to establish in accordance with state and federal employment discrimination laws, uniform provisions for employees requesting a leave of absence for non-occupational disabilities.

II. Policy:

The City of Costa Mesa grants employees a leave of absence due to a medical condition or disability that prevents them from performing or safely performing the essential functions of their positions. The leave of absence is granted only for the duration of the disability and shall not exceed a period of four months. The term medical condition as used herein encompasses all temporary medical disabilities including, but not limited to, pregnancy, childbirth, injuries sustained off the job, non-occupational illness and related medical conditions.

III. Procedure:


- A. An employee who requires a leave of absence for medical reasons must notify his/her supervisor in writing of the need for such a leave as soon as the employee learns that he or she is, or will become, temporarily disabled and unable to work due to the medical condition. A medical statement signed by a licensed physician covering the diagnosis, prognosis and expected date of return and period of disability must be submitted with the leave request.
- B. Unless concurrently on a Family Care and Medical Leave, an employee granted a non-occupational disability leave of absence shall utilize available accrued sick leave, compensatory and vacation time during the period of his/her disability. Paid leave must be exhausted prior to being granted leave without pay unless the employee is concurrently on a Family Care and Medical Leave. (Refer to Administrative Regulation 2.28 - Family Care and Medical Leave.)
- C. An employee may continue life, health, dental and long-term disability coverages while on leave of absence without pay by paying the full cost of such coverages. If the premiums are not paid, the employee will be terminated from coverage. (Also refer to Administrative Regulation 2.28 - Family Care and Medical Leave.)
- D. An employee returning from a non-occupational disability leave must provide a physician's statement that indicates that he/she is fit to return to work.
- E. A non-occupational disability leave without pay shall not be credited toward continuous service.
- F. If additional leave is desired, the employee may request the additional leave in accordance with the extended leave provision in the Personnel Rules and Regulations.
- G. An employee who returns to work at the end of his/her leave of absence will be returned to his/her former position or to a similar position for which he/she is qualified, unless precluded by a business necessity.

- H. An employee who fails to report to work at the end of the approved leave will be deemed to have voluntarily resigned.

IV. Effective Date:

The effective date of this Administrative Regulation is June 1, 1987 and subsequently revised on July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

MOVE-UP PAY

I. Purpose:

The purpose of this regulation is to establish a uniform compensation procedure for regular full-time employees assigned to assume the job responsibilities for a higher classification for a limited period of time.

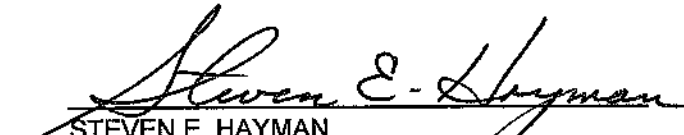
II. Procedure:

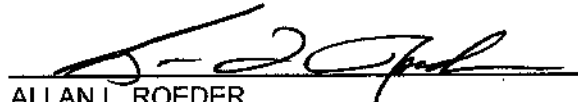
- A. Employees not covered under the Executive Pay Schedule and who are temporarily assigned to perform the work of a higher classification may be compensated at five percent (5%) above their current rate of pay, providing:
 - 1. That assignment is previously approved in writing by the appropriate Division Manager or Department Director.
 - 2. That assignment is for purposes other than training.
 - 3. The duration of that assignment is for at least two consecutive work weeks and for up to a maximum of two consecutive full pay periods, or
 - a. In the case of Communications and Police Officers, for each full shift so assigned; or
 - b. In the case of Firefighters, Firefighter Engineers and Fire Captains, when so assigned for the majority of a shift;
 - c. After ninety (90) days, regular non-sworn full-time employees in a move up assignment will have either their position reclassified, the employee will be given an acting appointment, or the move-up duties will be removed from the employee's assignment. Time limits on move-up pay may be extended on an individual basis by prior written, mutual agreement by the City and Costa Mesa City Employees Association. An acting appointment will be made when the employee is performing all of the duties of the higher-level classification. Employees assigned to assume the job responsibilities for a higher classification for an extended or indeterminable period of time are subject to the Acting Appointment provisions of the Personnel Rules and Regulations and Administrative Regulation 2.8. The City Manager shall determine what constitutes an "extended or indeterminable period of time" and all acting appointments require prior approval from the City Manager.
- B. Employment benefits for employees in a move-up assignment will be calculated on the employee's basic rate of compensation.

- C. Employees covered under the Executive Pay Schedule who are temporarily assigned additional work or perform the work of a higher classification may be compensated at five percent (5%) above the current rate of the highest paid subordinate, providing:
1. The appropriate conditions above are met, and
 2. City Manager approval is obtained in writing prior to any such assignment.

III. Effective Date:

The effective date of this Administrative Regulation is effective April 1, 1990 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

ON THE JOB INJURY

I. Purpose:

The purpose of this regulation is to establish a uniform procedure for reporting on the job injuries.

II. Policy:

Employees shall report personal injuries or injuries to other incapacitated employees immediately to their supervisor. The supervisor shall ensure that necessary medical treatment is provided and will conduct an investigation of the injury. All supervisors are required to complete a "Supervisors Accident Investigation Report" and have the employee complete an "Employee's Claim for Workers Compensation Benefits", form DWC1. The supervisor shall send the DWC1 form and the Supervisor's Accident Investigation Report to the Risk Management Office within one working day of receipt of the completed DWC1 form the employee, as required by law.

In the event of life peril injuries, or hospitalization of the employee, the Risk Management Office shall be notified immediately by phone. Any medical statements or work release slips, etc., shall be sent to the Risk Management Office. All accidents will be reviewed by the Safety Coordinating Committee.

Whenever a Supervisor is advised by an employee that a medical condition may be work related in the employee's opinion, the Supervisor shall immediately advise the employee of their right to file a worker's compensation claim and provide them with the DWC1 form. The Supervisor shall have the employee immediately sign and return the "Acknowledgement of Receipt of Claim Form" attached to the DWC1. The supervisor shall retain the receipt and forward it to the Risk Management Office with the completed DWC1 and Supervisor's Accident Investigation Report in the event the employee later elects to file a worker's compensation claim. Such claims shall be investigated by the City's worker's compensation claims administrator for a determination of whether the medical condition is work related, as provided under worker's compensation law.

III. Effective date:

The effective date of this Administrative Regulation is January 1, 1973 and subsequently revised on July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

EMPLOYEES PERFORMANCE EVALUATION PROCEDURE

I. Purpose:

The purpose of this regulation is to provide a consistent procedure for all departments in evaluating employee performance. The purpose of evaluating performance is to improve performance on the job through written and oral communications and discussions.

II. Procedures:

A. It is Personnel's responsibility to periodically notify all departments in writing prior to anniversary dates as to when employee performance evaluations are due.

B. Supervisors should refer to the department manual or performance evaluation form for instructions on evaluating employee performance and follow its directions before rating employees.

C. Probationary employees shall be given a written performance evaluation by their supervisors at the end of the third month; the sixth month and the twelfth month (for sworn police officers there is an additional evaluation at eighteen months).

D. Regular full-time employees progressing through their salary step ranges shall normally be evaluated once a year. The effective date of the evaluation should coincide with the original date of hire or date of promotion. After employees reach the top step of their salary range, they shall continue to be evaluated by their supervisors once a year.

E. Special evaluations may be given to employees by their supervisors at any time, based on the needs of the department and the employee. These evaluations may note either superior performance on the part of employees or it may indicate specific problems employees may be having.

F. While employees progress through the salary step ranges, the written performance evaluation shall be used as one of the justifications by the Department Director to recommend merit increases for employees. Merit increases are not automatic based on length of service. Each merit increase must be earned by demonstrating satisfactory or superior work performance. Normally, a five percent merit increase shall be given to employees who, at the minimum, meet their supervisor's standards for satisfactory performance. The employee's most recent evaluation must be attached to the personnel action form before Personnel's and the Administrative Services Director's approval of the normal merit increase. Should a Department Director recommend more than a five percent merit increase for outstanding performance, additional justification shall be attached to the personnel action form describing in detail the justification for such an increase. Justification should include specific details outlining meritorious service, special accomplishments and other noteworthy performance activities above and beyond that expected of a full-time employee.

G. After rating employees on the written form and receiving supervisory input, immediate supervisors should arrange a private meeting with the employee and review the evaluation in depth. This is the most important part of the review process and gives the employee an opportunity to discuss his/her performance with the supervisor.

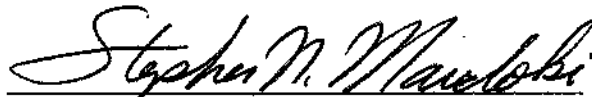
H. Each employee should receive a copy of his/her written performance evaluation for his/her own personal files and reference.

I. After the original evaluation form has been signed by all appropriate persons, it should be forwarded to Personnel where it will be kept in the employee's official personnel file.

J. Merit increases will be effective at the beginning of the pay period that includes the employee's merit review date. In the event a performance evaluation is not completed within the appropriate pay period, the merit increase will be applied retroactively.

III. Effective date:

The effective date of this Administrative Regulation is March 12, 1974 and subsequently revised May 23, 2005.



STEPHEN N. MANDOKI
ADMINISTRATIVE SERVICES DIRECTOR



ALLAN L. ROEDER
CITY MANAGER

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 2.13 (Revised)
Section 1-4

September 1, 1990

Page 1 of 2

SPECIAL EVENT CITY SERVICES: Fees and Remuneration

I. Purpose:

The purpose of this regulation is to establish the policy and procedure regarding: 1) the payment of personnel performing special event duty and 2) the establishment of fees to be collected from the party receiving the service.

II. Policy:

- A. The Director of Finance will compute the rate charged and submit it to the City Manager for approval.
- B. Coverage for all special events will require a four-hour minimum charge.
- C. Requests for more than four sworn Police Officers will require one Sergeant position and requests for more than three Sergeants will require one Lieutenant position.
- D. The following variables will be used to compute the per-officer hour fee charges to the party receiving the service:
 - 1. The current top, hourly pay step of positions involved at time and one half.
 - 2. The current applicable fringe benefit percentage rate.
 - 3. The current administrative and collection costs.
- E. The rates will be reviewed periodically, and if needed, will be revised by the City Manager as variables within the rate structure change.
- F. The personnel performing the requested services will receive pay at their appropriate overtime rates.

**ADMINISTRATIVE REGULATION
CITY OF COSTA MESA**

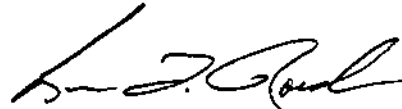
**A. R. 2.13 (Revised
Section 1-4
September 1, 1990
Page 2 of 2**

III. Procedure:

- A. All requests for special event coverage involving police personnel only must be submitted in writing on Form PD34, "Request for Police Service." These forms will be obtained from the Police Department. For all other involved departments, use Form XXXX, "Request for City Services." These forms can be obtained from the Finance Department.
- B. After the services have been rendered, the involved Department(s) shall transmit the completed written request(s) with the appropriate information to the Finance Department.
- C. The Finance Department/Revenue Division shall be responsible for invoicing and collecting the appropriate fee from the party receiving the services.

IV. Effective Date:

The effective date of this Administrative Regulation is September 1, 1990.



ALLAN L. ROEDER
CITY MANAGER

CITY OF COSTA MESA, CALIFORNIA

RATE DETERMINATION

Effective July 1, 2006

(Per A.R. 2.13)

In accordance with Administrative Regulation 2.13, the following hourly rate computations are recommended for approval and adoption.

	Straight Time Hourly Rate ¹	Special Event Overtime Hourly Rate ²
1 Animal Control Officer	\$ 63.36	\$ 79.08
2 Assistant Engineer	81.55	102.23
3 Associate Engineer	92.48	116.14
4 Battalion Chief	132.81	162.27
5 Code Enforcement Officer	66.02	82.45
6 Communications Officer	70.19	87.79
7 Communications Supervisor	80.22	100.55
8 Community Service Specialist	56.53	70.39
9 Construction Inspector	71.35	89.24
10 Crime Prevention Specialist	62.23	77.64
11 Crime Scene Specialist	72.90	91.22
12 Custody Officer	69.08	86.37
13 Fire Captain	117.23	144.60
14 Fire Engineer	100.23	123.47
15 Fire Fighter	85.29	104.89
16 Fire Fighter (Paramedic)	100.46	123.77
17 General Aide II	16.56	22.30
18 Lead Maintenance Worker	69.72	87.17
19 Maintenance Assistant	47.00	58.25
20 Maintenance Services Manager	121.52	151.45
21 Maintenance Supervisor	80.80	101.27
22 Maintenance Worker	51.32	63.75
23 Office Specialist I	45.98	56.95
24 Office Specialist II	49.11	60.94
25 Police Cadet	15.98	21.52
26 Police Corporal	109.35	134.20
27 Police Lieutenant	147.44	181.18
28 Police Officer	97.76	119.87
29 Police Officer (Motorcycle)	103.78	127.32
30 Police Officer (Reserve)	35.30	47.54
31 Police Recruit	34.63	46.63
32 Police Sergeant	123.93	152.22
33 Police Sergeant (Motorcycle)	129.23	158.78
34 Police Support Services Reserve	21.44	28.88
35 Senior Maintenance Worker	55.36	68.89
36 Senior Police Officer	104.33	128.00
37 Senior Police Officer (Motorcycle)	108.77	133.49

¹ Includes annual salary at top step, other compensation, all benefits, overhead and administrative cost divided by the productive rate of 1,800 hours.

² Includes straight time hourly rate as shown above, plus 1/2 of the basic rate (annual salary, other comp, workers' comp, medicare divided by 2,080 hours - other benefits, overhead, administrative costs excluded. Salaries are based on FY 05-06 MOU's.

Submitted by:



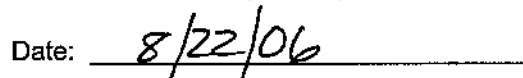
Director of Finance

Approved by:



City Manager

Date:



MERIT INCREASES FOR PART-TIME EMPLOYEES

I. Purpose:

The purpose of this regulation is to establish a policy for merit step increases in salary for part-time employees to steps within their ranges.

II. Policy:

Part-time employees may be considered for merit step increases as follows:

- A. Employees working part time in any classification may be considered for merit step increases on an annual basis with approval of the Personnel Manager on the personnel action form.
- B. Part-time employees may be considered for special merit step increases earlier based upon a detailed recommendation from the Department Director, and approved by the Personnel Manager and Administrative Services Director. Any increase being recommended at increments less than annually shall be based upon documented extraordinary circumstances.


III. Procedures:

The same procedures that are used with full-time employees shall also apply to part-time employees with the exception of Section II. G. in A.R. 2.12.

IV. Effective Date:

The effective date of this Administrative Regulation is April 1, 1991 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

MEMBERSHIP FEES IN PROFESSIONAL SERVICE ORGANIZATIONS

I. Purpose:

The purpose of this regulation is to establish a uniform policy whereby the City will pay for membership fees in professional organizations and/or service clubs. This regulation would not disqualify membership in professional organizations if employees pay for said membership themselves.

II. Policy:

The City of Costa Mesa will pay for a Department Director membership into an appropriate professional organization or organizations. If applicable, the City will also pay for City membership into a professional organization. These memberships must be related to City functions such as AIP; ASPO; ASPA; ICMA; CPRS, CALPELRA, NFOA, etc. In no case will the City pay for more than three (3) memberships for a Department Director.

The City of Costa Mesa may pay for memberships for Division Managers if deemed appropriate by the Department Director and the City Manager. In no case will the City pay for more than two (2) memberships for Division Managers.

The City of Costa Mesa may pay for memberships for non-executive staff if deemed appropriate by the Department Director and the City Manager. In no case will the City pay for more than one (1) membership for non-executive staff.

The City will not pay for memberships in service clubs unless the Department Director is representing the City. This is at the discretion of the City Manager.

This Administrative Regulation does not impact memberships reimbursed through the Executive Professional Development Reimbursement Program (AR. 2.30).

III. Procedure:

All memberships will be reviewed annually by the City Manager during the normal budget process. The Department Directors will submit a list of all professional organizations for review, with his/her recommendation as to who will belong to said organization and the benefits to the City for membership.

IV. Effective Date:

The effective date of this Administrative Regulation is September 23, 1975 and subsequently revised on July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

TEMPORARY PERSONNEL SERVICES

I. Purpose:

The purpose of this procedure is to establish uniform guidelines for the utilization of temporary personnel services. This policy is not intended to circumvent or replace any portion of the City's Personnel Rules and Regulations. Staffing resources to be secured under the provisions of this Administrative Regulation are of a temporary non-seasonal basis for the purpose of fulfilling unplanned, immediate personnel needs.

II. Policy:

Temporary personnel services will be used exclusively for the purpose of meeting short-term replacement of permanent positions unless otherwise authorized by the Personnel Manager. Utilization of temporary personnel services will be administered at the Department Director/Division Manager level with the assistance of Personnel.

III. Procedure:

- A. When a Department requires temporary assistance, it will submit a written request to the Personnel Manager. The written request will include the following information.
 1. Justification for temporary assistance.
 2. Qualifications required to perform the essential duties (i.e. typing, computer skills).
 3. The estimated days and hours requested.
- B. Upon the Personnel Manager's approval, Personnel will then contact the approved temporary agency and give a description of the essential duties of the requested position. The approved temporary agency will inform Personnel on the current status of the request. Once the request is completed, Personnel will obtain the billing rate from the agency and notify the requesting department that the order has been filled along with the appropriate billing rate for the employee.
- C. Time sheets for the temporary employee are provided by the temporary agency. The time sheets are completed by the temporary employee and signed by the operating Department Director (or designated supervisor).
- D. Billing for the temporary employee's services is submitted by the temporary agency to the City's Financial Operations Division. Once the Financial Operations Division receives the invoice, a copy of the invoice is sent to the requesting department and it completes a Direct Pay Form for the actual hours and dates worked.

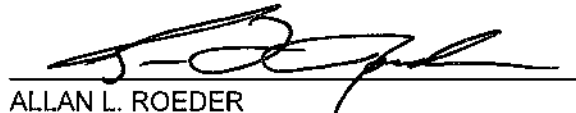
- E. Hiring a Temporary Employee - On occasion City departments may wish to hire a temporary employee. After sixty (60)/thirty (30) calendar days on the job with the City (dependent upon the temporary agency contract), there is no liability by the temporary employee to the City if hired. If a temporary employee of the temporary agency is hired before thirty (30) calendar days, a liquidation fee will be assessed. Temporary employees must meet the qualification guidelines of the position and pass any required testing including a post-offer, pre-appointment medical examination before being hired.

IV. Effective Date:

The effective date of this Administrative Regulation is April 1, 1980 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


MARC R. PUCKETT
DIRECTOR OF FINANCE


ALLAN L. ROEDER
CITY MANAGER

BILINGUAL COMPENSATION

I. Purpose:

The purpose of this regulation is to establish a uniform policy and criteria for additional compensation based on bilingual skills and need.

II. Policy:

Qualified employees who are required by their Department Director and approved by the Administrative Services Director to use their bilingual abilities as part of their regular job assignment shall be paid either an additional five percent (5%) over their regular monthly salary or two and a half percent (2.5) over their regular monthly salary. Employees who are required by their Department Director to utilize the bilingual skills must be tested and certified by Personnel as to their language proficiency, in order to be eligible for said compensation. A qualified employee is eligible to be tested after six (6) months of continuous employment, or immediately if unless bilingual skills are a condition of employment.

Compensation for bilingual skills shall be limited to English/Spanish and English/Vietnamese or as approved by the Administrative Services Director who shall also approve the number of assignments eligible for this extra compensation. The City will pay for either bilingual training or the skill for bilingual pay, but not both.

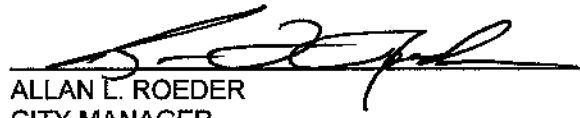
III. Procedure:

- A. A Department Director will submit a written request to the Administrative Services Director for the approval of bilingual compensation. The written request will include the name, job classification of the employee and a brief justification as to why bilingual compensation is recommended and necessary.
- B. A copy of the Administrative Services Director's approval shall be forwarded to the requesting department by Personnel. Upon receipt of the Administrative Services Director's approval, Personnel will schedule and coordinate the bilingual testing.
- C. An employee will receive bilingual compensation upon successfully passing the bilingual testing. Bilingual compensation will be effective at the beginning of a pay period.
- D. The City will pay for one test per year per employee. An employee may take the test more than once during the year at his/her own expense.
- E. Employees who are approved and assigned by their Department Director to utilize bilingual skills must be certified by their Department Director and may be tested by Personnel annually as to their language proficiency in order to maintain eligibility for bilingual compensation.

IV. Effective Date:

The effective date of this Administrative Regulation is October 27, 1985 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

EMPLOYEE DRIVING RECORD PROGRAM

I. Purpose:

The purpose of this regulation is to establish and maintain a procedure for the monitoring of employee driving records. The regulation is to assist in the maintenance of an acceptable fleet safety record.

II. Policy:

All City employees who drive a City-owned vehicle as part of their jobs, or receive reimbursement for City business mileage on their privately-owned vehicle, are expected to maintain an acceptable driving safety record.


III. Procedure:

- A. The minimum acceptable driving record for a three-year period is:
 - 1. One hazardous violation and one misdemeanor drunk driving conviction and no accidents; or
 - 2. Two hazardous violations and one chargeable accident; or
 - 3. Three hazardous violations and one accident; or
 - 4. Four hazardous violations and no accidents.
- B. Hazardous violations refer to violations of the rules of the road as defined in Division 11 of the California Vehicle Code.
- C. A felony drunk driving conviction is considered to be disqualifying.
- D. In order to be deemed acceptable, any substantial equivalent to the above guideline will be subject to the Risk Manager's or Department Director's recommendation and City Manager approval.
- E. Failure to maintain the above guidelines will:
 - 1. Require existing employees to attend driver-training programs; or transfer and/or be removed from duties involving driving.
 - 2. Preclude the hiring of persons with poor driving records.

IV. Effective Date:

The effective date of the Administrative Regulation is January 1, 1986 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

EXECUTIVE LEAVE

I. Purpose:

The purpose of this regulation is to establish an administrative policy for the granting of Executive Leave to management personnel. It is recognized that as management personnel, those classifications placed on the Executive Salary Resolution are ineligible for overtime either paid or as accrued time off.

II. Policy:

It has been the policy of the City to grant Executive Leave to management personnel not to exceed eighty (80) hours per year (unless the City Manager grants additional Executive Leave as described below). Consistent with a recent court decision, short absences from work defined as an absence of less than one full day on the part of the City's overtime exempt management employees shall under no circumstances be treated as an absence without pay (except as may hereafter be authorized by law). Only employees in job classifications placed on the Executive Salary Resolution shall be eligible for such leave.

In the event such an employee does not have sufficient leave as defined herein or other accrued paid leave to cover such a short-term absence, the necessary amount of appropriate paid leave shall be advanced to the employee for such purposes.

The following conditions and restrictions shall apply:

1. The full amount of the annual limit shall be made available at the beginning of the payroll (calendar) year.
2. There shall be no carry forward to the next payroll year of any unused time.
3. There shall be no payoff in cash upon termination or retirement.
4. Management personnel approved to work an alternative work schedule shall have their Executive Leave pro-rated.
5. Executives who are regularly assigned as staff support at City Council, Planning Commission and/or the Parks and Recreation Commission meetings may be annually granted additional Executive Leave up to 40 hours. The City Manager shall have the sole discretion to grant or deny the additional Executive Leave hours.

Or

6. Executives who are involved in extraordinary long-term major projects or assignments may be granted additional Executive Leave up to 40 hours based upon a Department Director recommendation which includes documentation of additional hours worked. The City Manager has the sole discretion to grant or deny the additional Executive Leave hours.

III. Procedure:

1. At the beginning of each payroll year, the payroll system shall record eighty (80) hours for each employee in a job classification on the Executive Salary Resolution.
2. Employees hired into or appointed to a job classification on the Executive Salary Resolution after January 1 of each year are eligible for a prorated amount of Executive Leave during that calendar year. The amount of leave is based upon the following guidelines:

Starting after January 1 but before March 31	= 60 hours
Starting March 31 but before June 30	= 40 hours
Starting June 30 but before September 30	= 20 hours

Executive Leave prorated as illustrated will be provided to the new appointee. Any exceptions must have prior approval by the City Manager.

3. Executives requesting additional Executive Leave will do so by submitting documentation for the request with a personnel action form to Personnel through the normal payroll process. The documentation should illustrate that the Executive will work at least double the amount of hours being requested within the calendar year. The Executive/Department Director is responsible for submitting the request and supporting documentation each subsequent calendar year. As managers, all Executives are expected to work extra hours in the calendar year and the City Manager will not consider requests for additional Executive Leave over the granted 80 hours if it can not be illustrated that the Executive worked at least 30 extra hours on the long-term assignment.
4. A unique hours code shall be added to the payroll system for data input from the Employee Time sheet. Every management employee using Executive Leave shall record the number of hours used with the hours code on the Employee Time Sheet, "EXEC" code.
5. Prior to using Executive Leave, Department Directors must obtain approval from the City Manager. Division Managers must obtain approval from their Department Director.
6. At the end of each payroll year, the payroll system must reduce all unused allowances to zero prior to posting the allowances for the next payroll year.

IV. Effective Date:

The effective date of this Administrative Regulation is September 1, 1991 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

DEPUTY CITY MANAGER DESIGNATION

I. Purpose:

The purpose of this regulation is to establish an administrative policy permitting the temporary designation of Department Directors or Division Managers as Deputy City Managers. The Deputy City Manager positions are intended to assist the City Manager through the combination of multiple Departmental responsibilities under a single decision-making supervisor/director who can communicate directly with the City Manager.

The Deputy City Manager is not intended to create an additional supervisory level but to consolidate operations from multiple Departments into a working team under a single decision maker.

II. Policy:

It is the City Manager's policy that certain Department Directors or Division Managers may be assigned temporary responsibilities that transcend normal lines of Departmental responsibility. For the purposes of accepting responsibility and being held accountable, the City Manager may designate a Department Director or Division Manager with the working title of Deputy City Manager.

The following conditions and restrictions shall apply:

- A. The Deputy City Manager designation shall not be a new Class Title within the classified service or for at-will executives.
- B. The Department Director's or Division Manager's personnel record shall reflect the Deputy City Manager assignment period but the title shall not be used for comparative salary surveys or employment references.
- C. The designation to Deputy City Manager and acceptance of additional responsibility will not warrant additional compensation.

III. Procedure

- A. The City Manager, upon designating a Department Director or Division Manager to the Deputy City Manager temporary assignment, shall provide notice to Personnel of the effective date and specific title.
- B. The City Manager shall notify all Department Directors and Division Managers whose program responsibilities are subject to a Deputy City Manager supervision and authority.

- C. The City Manager should define by memorandum the level of Deputy City Manager responsibility, limits of program and staff supervision, and extent of decision-making authority.

IV. Effective Date:

The effective date of this Administrative Regulation is and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

HARASSMENT IN EMPLOYMENT

I. Purpose:

The purpose of the City's policy is to establish a strong commitment to prohibit harassment in employment, to define discrimination harassment and to set forth a procedure for investigation and resolving internal complaints of harassment.

II. Definition: Disciplinary action up to and including termination will be instituted for behavior described in the definition of harassment set forth below. Harassment includes, but is not limited to:

Verbal Harassment - For example, epithets, derogatory comments or slurs based on race, religious creed, color, national origin, ancestry, handicap, disability, medical condition, marital status, sex or age. This might include inappropriate sex oriented comments on appearance, including dress or physical features or race oriented stories.

Physical Harassment - For example, assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex or age. This could be conduct in the form of pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.

Visual Forms of Harassment - For example, derogatory posters, notices, bulletins, cartoons, or drawings based on race, religious creed, color, national origin, ancestry, handicap, medical conditions, marital status, sex or age.

Sexual Favors - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is conditioned upon an employment benefit, unreasonably interferes with an individual's work performance or creates an offensive work environment.

III. Policy:

A. The City of Costa Mesa is committed to providing a work environment free of unlawful discrimination and harassment and to discrimination free hiring practices. The City's anti-discrimination policy will consist of the following provisions:

1. Prohibit discriminatory conduct.
2. Require the prompt reporting and investigation of alleged discriminatory conduct.
3. Imposing strong sanctions against individuals who violate the policy.
4. Prohibiting retaliation against those who report, or assist in the investigation of, discriminatory conduct as set forth in this policy.

5. Advising persons who believe they have been the subject of discriminatory conduct of their rights under this policy as well as state and federal discrimination laws.

B. Discrimination Prohibited

The City will enforce its discrimination policy by requiring the following of all City employees, officers, or officials:

1. All decisions regarding recruitment, hiring, promotions, assignments, training, or any other term or condition of employment will not be based upon an individual's race, color, religion, sex, marital status, national origin, ancestry, handicap, medical condition or age.
2. Prohibiting unlawful discrimination or harassment against any person on the basis of race, color, religion, sex, marital status, national origin, handicap, medical condition or age.
3. Prohibiting any City employee, officer, or official from sexually harassing any applicant or employee.
4. Prohibiting the aiding, abetting, or encouraging harassment or discrimination on the basis of race, color, religion, sex, marital status, national origin, ancestry, handicap, medical condition, or age.
5. Prohibiting any retaliation or discrimination against any individual because that individual has:
 - a. Opposed any unlawful practice.
 - b. Reported any act of discrimination in accordance with this policy or the California Fair Employment and Housing Act.
 - c. Cooperated with the City or a state or federal agency with authority to resolve such a complaint of discrimination in the investigation of that complaint.
 - d. Filed or assisted in the filing of a discrimination complaint with the City or any state or federal agency with appropriate jurisdiction to resolve such a complaint.

C. Responsibility for Enforcement

It is the responsibility of all City employees with supervisory duties to make certain that all employees under their direction or control comply with this policy. Each supervisor will be responsible for monitoring the activities of all employees under his/her supervision with the potential to lead to a violation of this policy and, after consultation with the Personnel Manager or Administrative Services Director, will take appropriate corrective action. Corrective action may include counseling and/or other disciplinary action, including possible termination.

IV. Procedure:

- A. Complaint Procedure: An employee or job applicant believes he or she who has been harassed may make a complaint orally or in writing with any of the following: 1) Immediate Supervisor, 2) Any Supervisor or Manager within or outside of the department, 3) Department Director, 4) Personnel Manager, 5) Administrative Services Director. Any Supervisor or Department Director who receives a harassment complaint should notify the Personnel Manager or Administrative Services Director immediately.
- B. Upon notification of a harassment complaint, the Department Director after consultation with the Personnel Manager and the Administrative Services Director shall:
 - 1. Authorize the investigation of the complaint and supervise and/or investigate the complaint. The investigation will include interviews with:
 - a. The complainant,
 - b. The accused harasser; and,
 - c. Any other persons the Department Director, Personnel Manager and/or Administrative Services Director has reason to believe has relevant knowledge concerning the complaint. This may include victims of similar conduct.
 - 2. Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, giving consideration to all factual information, the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct and the context in which the alleged incidents occurred.
 - 3. Report the results of the investigation and the determination as to whether harassment occurred to appropriate persons, including to the complainant, the alleged harasser, the Supervisor, and the Department Director. If discipline is imposed, the discipline will not be communicated to the complainant;
 - 4. If the harassment occurred, take and/or recommend to the appointing authority prompt and effective remedial action against the harasser. The action will be commensurate with the severity of the offense;
 - 5. Take reasonable steps to protect the victim from further harassment;
 - 6. Take reasonable steps to protect the victim from any retaliation as a result of communicating the complaint,

7. If appropriate, take action to remedy the victim's loss, if any, which resulted from the harassment.

Dissemination of Policy - All employees, supervisors and managers shall be sent copies of this policy and this policy shall be posted in appropriate places.

PLEASE NOTE: Harassment as defined above, violates Title VII of the Civil Rights Act of 1964, the California Government Code, and regulatory guidelines of the Equal Employment Opportunity Commission, and the California Fair Employment and Housing Commission.

Violation of this policy shall generally constitute just and reasonable cause for discipline, up to and including termination.

V. Effective Date:

The effective date of this Administrative Regulation is March 26, 1990 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

VACATION ACCRUAL AND CASH OUT PROGRAM

I. Purpose:

The purpose of this regulation is to establish a uniform policy to further define the City of Costa Mesa's Personnel Rules and Regulations with respect to the accumulation of vacation leave.

It is further intended to establish a basis upon which employees can "cash out" a portion of said leave, and provide for assisting fellow employees who fall subject to a catastrophic illness.

II. Policy:

The Personnel Rules and Regulations state: "Accumulation of vacation leave in excess of that earned in a calendar year is allowable upon approval of the Department Director as authorized by the City Manager." It is the policy of the City of Costa Mesa to allow Department Directors to manage vacation accrual for the particular needs of each department within the maximum established by this policy.

- A. It is established that the maximum amount of vacation time to be accrued shall be 376.0 hours for all full-time employees, except those members of the Fire Department on 56-hour weekly shift assignments; they shall be permitted to accrue 526.4 hours. This is the absolute maximum that will be controlled according to the following chart:

Annual Vacation Accrual			Maximum* Allowable Vacation Leave Bank	
Years Of Service	40-Hour	56-Hour	40-Hour	56-Hour**
1-2	92.0	128.8	184.0	369.6
3-4	116.0	162.4	232.0	436.8
5-9	140.0	196.0	280.0	504.0
10-14	164.0	229.6	328.0	526.4
15+	188.0	263.2	376.0	526.4

*The City Manager has approved extending the stated limits by an additional 88 hours to reflect non-sworn classifications required to work without regard to holidays.

**56-hour shift assignment is calculated as twice the annual accrual, plus 112 hours (up to the maximum). This provides for consistency as other employees can accrue up to 80 hours, in some cases, of compensatory time, which is unavailable to firefighters.

- B. Management staff is expected to control the accrual of vacation leave and ensure that employees, including management, adhere to the established maximums. The maximums, as stated herein, shall be maintained on a biweekly basis, as all excess will be paid off according to the basic rate of pay in effect.

- C. Employees who maintain an accrual beyond these limits shall be frozen at that level, and must reduce it to the maximum within one year from the date of this Administrative Regulation. Hours remaining will be paid off at the current rate of pay in effect at the time of the pay-off.

III. Optional Features:

- A. Fire personnel on 56-hour shift assignments may use accrued vacation leave to balance out their "hours pool" on an annual basis, as provided by the departments' operational procedures.
- B. "Cash out" of accrued vacation will be permitted under circumstances defined herein:
 - 1. A base line is established of 80/112 hours of accrued leave. No cash-out will be permitted unless an employee has greater than these totals, and no one may cash-out any amount that would reduce their accrued leave to less than 80/112 hours.
 - 2. An employee wishing to cash out accrued vacation leave may do so by scheduling an equal amount of time off to that which is being requested in cash. As an example, an employee wishing to cash-out 40 hours of accrued vacation leave must have at least 160 hours on the books. He/she would need to schedule 40 hours off and leave 80 hours on the books. The time off must be scheduled within three (3) months of approval.
 - 3. This cash-out option will be facilitated through the use of the employee's time card and shall be paid in conjunction with the normal payroll process and cycle. The minimum cash-out value shall be 8/11.2 hours. The maximum cash-out value shall be 80/112 hours per year.
- C. Catastrophic Illness - Employees will be permitted to transfer 8/11.2 hours of accrued vacation or compensatory time to an employee's sick leave who has exhausted his/her accrued leave banks as a result of a catastrophic illness or injury. (The maximum transferable hours are based upon the "normal" shift for the classification.)


IV. Procedure:

- A. Employees wishing to cash-out accrued vacation leave shall submit their request, in writing, to their respective Department Director. Provided the request falls within these guidelines, the Finance Director shall have the authority to cash-out the requested amount.
- B. Any request outside the guidelines established by this policy shall be considered a hardship request and must be approved by the Administrative Services Director who will consult with the City Manager. Consideration will only be granted upon receipt of written verification of severe hardship including documentation of such.

V. Effective Date:

The effective date of this Administrative Regulation is July 1, 1990 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

EMPLOYMENT OFFERS

I. Purpose:

The purpose of this regulation is to establish a uniform procedure for extending employment offers and transitioning new employees to positions within the City of Costa Mesa.

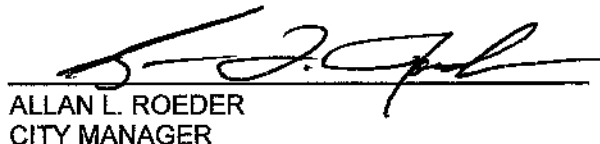
II. Procedure:

- A. Personnel consults with the departmental hiring authority for the vacant position regarding the candidate's qualifications, appropriate starting salary step and prospective starting date.
- B. Normally, new employees will be hired at the first step of the corresponding salary range. A negotiated salary beyond the middle step of the salary range will require Department Director justification and the Personnel Manager's approval. After a starting date has been arranged, Personnel notifies the departmental hiring authority. Personnel prepares and mails a confirmation letter if so requested by the candidate.
- C. Only Personnel will make conditional employment offers. All employment offers are conditional upon successful completion of a pre-appointment medical examination. Upon notification of the selected candidate by the hiring authority, Personnel will schedule a medical examination and confirm the appointment time with the hiring authority or candidate. Personnel also reaffirms that the employment offer is contingent upon successfully passing the medical examination and that the candidate should not submit termination papers until after successfully passing the medical examination.
- D. Before the candidate arrives for the medical examination, he/she is also requested to bring the necessary materials to verify legal authorization to work in the United States. The medical examination results from the medical clinic are reviewed and evaluated by Occu-Med. Occu-Med will notify Personnel of the results of the examination and if no restrictions are indicated, the departmental hiring authority is notified. If there are restrictions indicated from the examination, the Personnel Manager must be consulted for further action.

III. Effective Date:

The effective date of this Administrative Regulation is and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

LAYOFF AND REEMPLOYMENT

I. Purpose:

To establish a policy and uniform procedures to be used by the City in implementing a reduction in the workforce.

II. Policy:

The City may abolish a position within a class in the classified service because of material change in duties or organization, elimination or reduction in service level, privatization and/or a shortage of work or funds, which in turn may require the layoff of one or more employees.

III. Procedure:

Note: The respective memorandum of understanding for each employee association may contain variations to the following procedures and should be referred to for additional information.

When a position within a class is abolished thereby necessitating a layoff, the following procedure shall be followed:

- A. Reductions in the workforce shall be made by class within a department except that, where appropriate, the City Manager may authorize a layoff by division or smaller unit within a department. In the event of a comprehensive reduction in the workforce, the City Manager may decide to lay off by class City-wide regardless of department.
- B. In accordance with Rule 14, Section 9 of the Personnel Rules and Regulations, thirty (30) calendar days before the effective date of layoff, the appointing authority shall notify Personnel of the intended action with reasons therefore. In the event a decision is made by the City to contract out for a specific service performed by City employees, the City will give the affected employees a minimum of six (6) months advance notification in which to evaluate their own situation and assist in planning for the future. The City shall meet and consult with the concerned employee organization on such matters as the timing of the layoff and the number and identity of the employees affected by the layoff.
- C. A reassignment or voluntary demotion within the employee's division or department to an equivalent or lower job class may be made to prevent a layoff provided the employee is qualified by education and/or experience, is capable of performing the duties of the classification and has satisfactory performance evaluations for the preceding two (2) years. An employee so reassigned or demoted shall be placed on the salary step within the new classification range closest to the rate of pay that the employee previously received. Whenever an employee is reassigned or demoted to a vacant position in the same class, an equivalent class, or lower class as herein provided, he/she shall retain the same anniversary date for purposes of merit pay increases. An employee so reassigned or demoted shall be reinstated to the former job class and salary step status when positions in the former job class within the affected division or department become vacant and provided that the employee has performed satisfactorily in the current position. Such reinstatement shall be based on City-wide seniority.

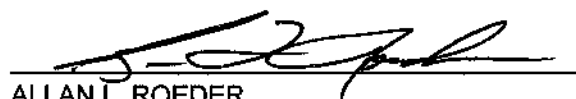
- D. In the event of a layoff, those employees in the classification affected with the least Citywide seniority shall be laid off first. Seniority shall be defined as continuous City service based upon hire date. Strict application of seniority shall prevail unless exceptional circumstances occur of which the concerned employee organization shall be fully apprised in advance. The order of layoff shall be:
1. Part-time and temporary employees in the affected classification shall be separated first.
 2. Probationary employees in the affected classification shall be separated next.
 3. Permanent employees with the least City seniority will be laid off first. Other affected employees will be laid off in sequential order thereafter.
 4. The aforementioned exceptional circumstances may include the City's desirability of maintaining a qualified workforce of competent employees based upon satisfactory performance evaluations for the preceding two (2) years.
 5. Exceptional circumstances from, the above layoff order may also include the exclusion of an employee within an affected classification, division or department who possesses an identified exceptional skill, knowledge or ability peculiar to the work being performed and which more senior employees do not possess. The determination that such an employee possesses such peculiar skill, knowledge or ability shall be made only by the City Manager.
 6. Employees who have not successfully completed promotional probation by the notification date shall revert back to the last class in which the employee held permanent status for purposes of determining layoff order.
 7. When two (2) or more employees have the same amount of seniority, the department shall determine the layoff order for these employees based upon performance evaluations for the preceding two (2) years and possession of specific technical skills.
- E. The employee scheduled to be laid off shall be entitled to displace to a position in a classification within the same occupational series filled by an incumbent with less overall City seniority provided it is in a position in which the employee formerly held permanent status or is qualified by education and/or experience and is capable of performing the duties of the classification. The employee must exercise his/her displacement rights in writing within five (5) working days from receipt of layoff notification.
- F. The employee with the least City seniority shall be displaced by the person scheduled for layoff. The employee displaced shall be considered as laid off for the same reason as the person who displaced him/her and shall in the same manner be eligible to displace to a position in a classification in which he/she formerly held permanent status or is qualified by education and/or experience and is capable of performing the duties of the classification.
- G. An employee laid off from City employment shall be eligible for the same sick leave payoff as defined in the Sick Leave Incentive Program for retirees.

- H. The name of an employee who has been laid off due to the reduction in the workforce shall be placed on the reemployment list for his/her job class. The reemployment list shall be used by all appointing authorities within the affected division or department whenever a vacancy for that class is to be filled. Names will remain on the appropriate reemployment list for a period of three (3) years from the date of separation. Persons on the reemployment list shall be reemployed within the division or department from which they were laid off with his/her former salary step status when positions in his/her job class become vacant. Reemployment shall be on the basis of previous City seniority. After separation from City employment for more than one (1) year, a person rehired may be required to successfully pass a physical and/or competency examination.
- I. Whenever an employee is reemployed to a vacant position in his/her former job class, he/she shall be given a new anniversary date for purposes of merit pay increases and performance reviews in accordance with the provisions of the City's Personnel Rules and Regulations. An employee rehired from the reemployment
- J. An employee rehired from the reemployment list shall be considered to have continuous service and may be credited with the amount of accumulated vacation and sick leave he/she had accrued at the time of layoff if he/she elects to remit to the City of Costa Mesa any payment received under the separation provisions of the Personnel Rules and Regulations and Sick Leave Incentive Program.
- K. Failure to return to work from layoff within twenty-one (21) calendar days after notice to return by certified or registered mail to the employee at his/her last known address on file with Personnel shall constitute the employee's waiver of any right to return to work and eliminates any future reemployment responsibilities placed on the City.
- L. All other benefits or programs in effect at the time of layoff shall be forfeited upon reemployment unless they are still applied to the old classification at the time of rehire or provided to new hires as of that date.
- M. Employees subject to layoff may only file a grievance under Rule 25 of the Personnel Rules and Regulations if there has been an improper interpretation or misapplication of this procedure.

IV. Effective Date:

The effective date of this Administrative Regulation is February 3, 1992 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

EMPLOYEE SUGGESTION AWARDS PROGRAM

I. PURPOSE

To provide a formal Awards Program for City employees to submit creative suggestions which will enhance the effectiveness of local government in terms of cost savings and/or improved services.

II. OBJECTIVES

The objectives of the awards program are as follows:

To further encourage all employees to contribute ideas which increase the effectiveness, efficiency, productivity, and safety of municipal government;

To further stimulate morale by providing a formalized means for all employees to participate in the improvement and direction of the City of Costa Mesa;

To provide a forum whereby employees are encouraged to look objectively at programs, procedures, and services with the specific objective of finding ways to increase efficiency, decrease costs, and improve customer service;

To provide recognition for individuals who contribute to increased efficiency, economy, safety, or morale, or who otherwise improve municipal operations and/or services;

To nurture and cultivate a working atmosphere which recognizes and encourages imagination and innovation which result in efficiency and improved services.

III. POLICY

Unless otherwise designated by the City Manager, the overall administration of the Awards Program is the responsibility of the City Manager's Office. The Program will be structured to allow for the standardized submission, confidential review, and evaluation of creative ideas. The final determination of awards and implementation of ideas is at the discretion of the City Manager.

A suggestion is defined as a timely, constructive idea related to the improvement of methods, equipment, procedures, work conditions, safety, revenue generation, and/or the reduction of time or expense. A suggestion may be a completely new idea or a new application or modification of an existing practice or procedure.

Suggestions should provide as much detail as possible. Suggestions that merely state a problem or voice a complaint without offering a specific solution will be considered incomplete and returned to the individual making the suggestion.

Employees not eligible for awards include all elected officials, Department and Division managers, and employees who have been given a direct job assignment for correction or improvement of a particular service area.

IV. PROCEDURES

A. SUGGESTION REVIEW COMMITTEE

The City Manager shall appoint a peer Suggestion Review Committee. The Committee shall provide functional direction, coordination, and evaluation of eligible suggestions. The Committee shall consist of six members as follows: Program Coordinator, the Budget and Research Officer, and four at-large members. The at-large members shall be selected from employee volunteers based upon the following minimum criteria; good safety record, tenure with the City, broad understanding of municipal services, and any other criteria as deemed appropriate by the City Manager. Committee members shall serve for a period of one to two years and will meet on a monthly basis.

B. EVALUATION OF SUGGESTIONS

Each idea will be assigned a number for tracking purposes and the name of the person making the suggestion shall be removed. The idea will be sent to appropriate Departments, and to each member of the Review Committee, for evaluation and recommendations. The Review Committee shall meet and review the input from the Departments and individual Committee members. Upon completing its evaluation, the Committee shall render its recommendations to the City Manager. The City Manager shall make all final award determinations.

C. AWARDS

Vacation time (or cash equivalent) shall be awarded as deemed appropriate by the City Manager. The maximum vacation award for a single idea shall not exceed 40 hours (maximum cash equivalent not to exceed \$800.00). Upon receipt of the award, the employee shall select either vacation time or the cash equivalent. In the event that the City would have to pay overtime to replace a vacationing employee, that employee shall be required to take the cash award. Awards shall be based upon the merit of the idea as it relates to the purpose and objectives of this Program.

D. PROGRAM SUPPORT

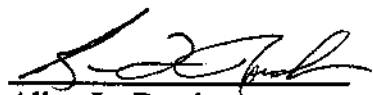
Standard forms shall be developed and used in the administration of this Program. A Master Log will be established to track ideas through the evaluation process. To the extent possible, ideas will be evaluated within 30 to 60 days. More complicated suggestions may require additional review time.

E. NON-ELIGIBLE SUGGESTIONS

Non-eligible suggestions include such items as (a) personal grievances; (b) the classification and pay of positions; (c) matters already under study or review by management; (d) duplicates of suggestions already received by the program; (e) stricter enforcement of existing laws; (f) matters which are the result of customarily assigned or contracted auditing, studies, surveys, reviews, or research; (g) the results of a specific job assignment, or a duty or responsibility consistent with the employee's position/job description. As greater experience with the Program is gained, other items may be excluded by the Review Committee or City Manager.

V. EFFECTIVE DATE

The effective date of this Administrative Regulation is February 1, 1994.


Allan L. Roeder
City Manager

FAMILY CARE AND MEDICAL LEAVE

I. PURPOSE:

The purpose of this regulation is to establish uniform provisions for employees requesting a leave of absence for family care or medical leave in accordance with the California Family Rights Act of 1991 (CFRA) and the federal Family and Medical Leave Act (FMLA) of 1993.

II. POLICY:

Effective February 5, 1994, the City will provide up to 12 weeks of "family care or medical leave" in a 12-month period to qualified employees. Qualified "family care or medical leave" is a leave of absence due to:

- the birth of an employee's child;
- the placement of a child with an employee in connection with an adoption or foster care;
- the need to care for a seriously ill child, spouse, or parent; or
- the employee's own serious health condition which makes the employee unable to perform the functions of his/her position.

III. DEFINITIONS:

A "child" means a child under the age of 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability. An employee's child is one for whom the employee has actual day-to-day responsibility for care and includes, a biological, adopted, foster or step-child.

A "parent" includes a biological, foster, or adoptive parent, a stepparent, or legal guardian.

A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- 1) Any period of incapacity or treatment in connection with or in consequent to a hospital, hospice or residential medical care facility;
- 2) Any period of incapacity requiring absence from work of more than three calendar days, that also involves continuing treatment by (or under the supervision of) a health care provider;
- 3) Continuing treatment of a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days; or
- 4) Prenatal care by a health provider.

"Continuing treatments" means:

- 1) Two or more visits to a health care provider;

- 2) Two or more treatments by a health care practitioner (e.g., physical therapist) on referral from, or under the direction of a health care provider; or
- 3) A single visit to a health care provider that results in a regimen of continuing treatment under the supervision of the health care provider (e.g., medication therapy).

IV. PROCEDURE:

- A. Notification: Although the City recognizes that emergencies arise which may require employees to request immediate leave, employees are required to give as much notice as possible of their need for leave. If leave is foreseeable, at least 30 days notice is required. In addition, if an employee knows that he/she will need leave in the future, but does not know the exact date(s) (e.g., for the birth of a child or to take care of a newborn), the employee shall inform his/her supervisor as soon as possible that such leave will be needed. If the City determines that an employee's notice is inadequate or the employee knew about the requested leave in advance of the request, the City may delay the granting of the leave until it can, in its discretion, adequately cover the position with a substitute.

To request the leave, the employee must submit to his/her supervisor the appropriate request form as determined by Personnel. A copy of this form must be forwarded to Personnel.

- B. Medical Certification: Employees who request leave for their own serious health condition or to care for a child, parent or a spouse who has a serious health condition must provide written certification from the health care provider of the individual requiring care. If the leave is requested because of the employee's own serious health condition, the certification must include a statement that the employee is unable to perform the essential functions of his/her position.

If the City has reason to doubt the validity of a certification, the City may require a medical opinion of a second health care provider chosen by the City. If the second opinion is different from the first, the City may require the opinion of a third provider jointly approved by the City and the employee. The opinion of the third provider will be binding.

If an employee requests leave intermittently (a few days or hours at a time) or on a reduced leave schedule to care for an immediate family member with a serious health condition the employee must provide medical certification that such leave is medically necessary. "Medically necessary" means there must be a medical need for the leave and that the leave can best be accomplished through an intermittent or reduced leave schedule.

- C. Eligibility: A qualified employee is one who has been employed for more than 12 months and has at least 1,250 hours of service with the City within the 12-month period immediately preceding the leave.

In the case that both a husband and wife are employed by the City, the aggregate amount of leave to which both are entitled is limited to 12 weeks during any 12-month period if leave is taken for the birth, adoption or foster care of a child, or to care for a parent with a serious health condition.

- D. Length of leave: Family care and medical leave may be taken in one or more periods, but shall not exceed a total of 12 weeks within a 12-month period. A "12-month period" means a rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken.

Under California Government Code Section 12945, an employee who is disabled due to pregnancy, childbirth or related medical condition has the right to up to four months of pregnancy disability leave.

- E. Benefits: An employee who is granted a family care or medical leave of absence may utilize available accrued vacation leave concurrently with family care leave. An employee can only use sick leave if the leave is for his/her own serious health condition. If an employee does not have available accrued leave, the family care or medical leave will be unpaid.

While an employee is on an unpaid family care or medical leave, his/her group health insurance benefits will continue under the same terms (e.g., employee only, family coverage) as if he/she is still working. The City will pay the premiums for group health insurance only. The employee may continue his/her other coverages (e.g., life and long term disability) by paying the full premiums during the leave. If the premiums are not paid, the employee will be terminated from these other coverages.

Employee contribution rates are subject to any change in rates that occurs while the employee is on leave.

If the employee has waived his/her medical coverage, he/she will not continue to receive the employer's contribution to benefits as income during an unpaid leave period.

The employee will pay the City back for any health premiums paid on the employee's behalf if he/she fails to return from the leave, unless such failure to return is due to a continuing serious health condition.

While on family care leave, the employee will retain his/her "employee" status; the leave does not constitute a break in service for purposes of seniority-related benefits (e.g., vacation, promotion, layoff, recall). The employee on family care or medical leave does not accrue seniority while on leave.

- F. Reinstatement at the termination of family care/medical leave:

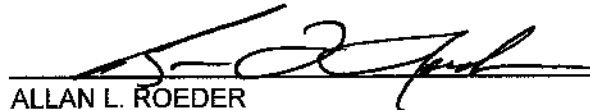
- 1) Upon return from a leave taken for the employee's own serious health condition, he/she must submit the appropriate fitness-for-duty certification form which is completed by the health care provider and which states the employee is able to resume work.

- 2) Upon termination of the family care leave, an employee will be reinstated to the same or equivalent position.
- 3) An employee who fails to report to work at the end of the approved leave will be deemed to have voluntarily resigned from City employment. The employee must then pay the City back for all health premiums paid on the employee's behalf during the leave period.

V. Effective Date:

The effective date of this Administrative Regulation is February 5, 1994 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

EXECUTIVE COMPUTER LOAN GUARANTEE PROGRAM

I. Purpose:

The City offers the Executive Computer Loan Guarantee Program to executive employees who have passed probation and at-will Department Directors. The program allows executives to purchase personal and/or laptop computers through a payroll deduction plan. The computers become the personal property of the executive and can be used for both City and personal business.

II. Policy:

Rapid advancements in technology have created a need for executives to upgrade previously purchased equipment. Executives will be allowed either to use this program to upgrade their existing computer system or to replace their existing system under the guidelines and limits addressed below:

1. The executive must apply for a loan with the Costa Mesa Federal Credit Union that will be subject to all Credit Union lending practices. The City will agree to guarantee the loan for the executive, which thereby will lower the interest rate on the loan.
2. A \$3,500 limit will be placed on the maximum amount that the Credit Union will fund for each executive at any given time. A minimum amount of \$25 will be withheld each pay period, however, an executive may designate a higher payment if he/she so desires. The loan can be satisfied in less than 30 months if the executive so desires.
3. Loan payments must be by payroll deduction. Each loan payment period shall not exceed 30 months and the value of the loan(s) shall not exceed \$3,500 per executive at any given time.
4. As a condition of the program, terminating executives participating in the program must satisfy any outstanding amounts of the loan(s) with either the final paycheck or personal check.
5. The City will continue to provide the software necessary for executives to have remote access to the City's servers and compatibility to City software.
6. In order for an executive to receive a loan under the program for equipment upgrades or purchase of new equipment components that meet the City-approved minimum configuration, the executive must certify that he/she

already owns the remaining components required to meet the minimum equipment configuration.

7. Equipment purchased under this program becomes the property of the executive.
8. No more than once a year an executive may request reimbursement for payments under the Executive Computer Loan Guarantee Program along with paycheck verification that the payments have been made by the executive.
9. Department Directors may request up to \$2,000 and Division Managers up to \$1,000 per fiscal year under the Executive Professional Development Reimbursement Program.

III. Eligible Equipment:

Due to the dynamic nature of the industry, participants must meet with the M.I.S. Manager prior to any purchase to ensure that items meet the "then current minimum requirements".

The following are also City-approved hardware, software and peripheral equipment for this program.

- Synchronized Personal Data Organizer/Management Device (Palm Pilots, Handspring Visors, etc.)
- Laser Printer
- Scanner
- Zip Drive
- CD RW Drive
- Docking Station for Laptop Computer

Joy sticks and other equipment and software used primarily for games and entertainment **will not** be funded or reimbursed by the City.

IV. Procedure for Purchase:

1. The executive is responsible for arranging the computer purchase, using the listed equipment requirements, through a vendor of his/her choice. Executives are encouraged to use City preferred vendors or shop wisely for the best buy. The MIS Manager will maintain a list of the City's preferred vendors and the

**ADMINISTRATIVE REGULATION
CITY OF COSTA MESA**

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hardware available. It is hoped that vendors located in Costa Mesa will be given fair consideration.


2. When a store/vendor is selected, the executive will request that the vendor complete a City of Costa Mesa "Computer Purchase Proposal" verifying the type of equipment and exact price.
3. The executive will submit the completed Computer Purchase Proposal along with a signed Computer Purchase Agreement to his/her Department Director for approval. The Department Director will submit the entire package to the MIS Manager for final approval and processing. The Purchase Proposal will serve as a loan request form and the signed contract will authorize the payroll deduction to begin upon issuance of the loan by the Credit Union.
4. Completion of the purchase transaction is the responsibility of the executive. Any after purchase warranty service/maintenance is the complete responsibility of the executive/owner.
5. All of the necessary forms (Computer Purchase Proposal and Computer Purchase Agreement) will be available from the MIS Division.
6. An executive may purchase approved computer equipment from more than one vendor. In that situation, a Computer Purchase Proposal form must be completed for each vendor.
7. Executive will sign a revised Computer Purchase Agreement obligating him/her for the total amount advanced.
8. The executive may have more than one opportunity to participate in this program as long as the value of the loan(s) shall not exceed \$3,500 per executive at any given time.
9. The MIS Manager will retain copies of the approved Computer Purchase Proposal and Computer Purchase Agreement for verification purposes when reimbursement is requested through the Executive Professional Development Reimbursement Program (A.R. 2.30).

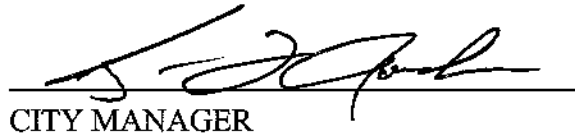
**ADMINISTRATIVE REGULATION
CITY OF COSTA MESA**

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V. Effective Date:

The effective date of this Administrative Regulation is July 1, 2000.
Revised: January 23, 2004


ADMINISTRATIVE SERVICES DIRECTOR


CITY MANAGER

COMPUTER PURCHASE AGREEMENT

THIS AGREEMENT is made this ____ day of _____, 20____ by the City of Costa Mesa, a municipal corporation ("CITY"), and _____, a City of Costa Mesa Executive Employee ("EXECUTIVE").

I. RECITALS

The following recitals are a substantive part of this agreement:

1. This Agreement is entered into pursuant to Costa Mesa City Council approval of Council Resolution No. 00-35 dated 5/15/00 and Administrative Regulation 2.29.
2. EXECUTIVE desires to purchase a personal computer, related equipment and/or software (hereafter "Equipment") as listed on the Computer Purchase Proposal, attached and incorporated herein by this reference, through City approved vendors.
3. EXECUTIVE acknowledges and warrants that these funds will be used solely for the purchase of the Equipment and will not be used for the purpose of avoiding tax liability.
4. EXECUTIVE is qualified by virtue of experience, training, education and expertise to effectively utilize the Equipment or will obtain appropriate training in order to become so qualified.
5. CITY is willing to guarantee a loan by EXECUTIVE to obtain the funds needed to purchase the Equipment and to reimburse Executive by an amount paid annually pursuant to Council Resolution No. 00-35.

II. AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **Term of Agreement.** The term of this Agreement shall be _____ (not to exceed 30) months beginning on the date of purchase of the Equipment or until EXECUTIVE has through payroll deductions or by lump sum fully paid off the loan obtained for purchase of the Equipment, and CITY'S reimbursement obligation hereunder has been satisfied, whichever is later.
2. **Equipment Purchase.** EXECUTIVE shall purchase the Equipment according to the following conditions:

- 2.1 **Equipment.** The Equipment and vendors must receive prior approval by the City which will be evidenced by City's execution of the attached Computer Purchase Proposal form.
- 2.2 **Loan.** EXECUTIVE shall obtain a loan from the Costa Mesa Federal Credit Union (hereafter "CMFCU") for the amount of the purchase price for the Equipment. The initial term of the loan shall not exceed 30 months, but may be shorter. The amount of the loan may not exceed \$3,500.00 at any one time. After the balance owed on the loan has been reduced by payments, EXECUTIVE may borrow additional funds to be added to the CMFCU loan so long as the total loan does not exceed \$3,500 and the additional funds shall only be used to purchase additional Equipment. Any subsequent Equipment purchase shall be evidenced by another Computer Purchase Proposal executed by the parties which shall become a part of and be incorporated into this Agreement by its attachment hereto.
- 2.3 **Payment by Payroll Deductions.** EXECUTIVE shall request that CITY make deductions from his or her pay each pay period through payroll deduction for direct payments on the loan to the CMFCU. The minimum amount of deduction each pay period shall be \$25.00. The entire loan amount shall be paid within thirty (30) months of the purchase of the computer equipment or execution of the loan, whichever occurs first

Absences from work, with or without pay, will not excuse or delay payroll deduction payments as stated in this section, unless approved in writing by the City Manager.
3. **Reimbursement of Computer Cost.** CITY shall reimburse EXECUTIVE by paying him or her an annual amount according to the applicable provisions of the Executive Computer Loan Guarantee Program (AR 2.29). The amount paid shall correspond to EXECUTIVE'S payroll deduction payments made to CMFCU on the loan for the Equipment.
4. **Loan Guarantee.** CITY shall guarantee the loan to EXECUTIVE from CMFCU for the initial Equipment purchase up to a maximum amount of \$3,500 at any one time, including any subsequent loans for additional Equipment.
5. **Records of Expenses.** EXECUTIVE shall keep paycheck stubs and/or other records in which complete and correct entries will be made of all expenditures subject to this Agreement. These records will be made available at reasonable times to the Costa Mesa Federal Credit Union and the CITY.

6. **Termination.** CITY and EXECUTIVE shall have the right to terminate this Agreement, without cause, by giving not less than fourteen (14) days written notice of termination. Upon termination, EXECUTIVE must pay CMFCU the full outstanding balance due on the loan. However, CITY shall continue to be liable for reimbursing EXECUTIVE pursuant to the procedure in paragraph 3 above, until the entire amount of purchase cost existing at the time of the termination has been reimbursed, provided, that this obligation shall continue only for so long as EXECUTIVE remains employed with CITY.
7. **End of City Employment.** If EXECUTIVE'S employment with the CITY ends for any reason, the EXECUTIVE may elect to withhold from the EXECUTIVE'S final paycheck the unpaid balance of the loan amount. If the EXECUTIVE does not elect to withhold the remaining balance from the final check, the EXECUTIVE shall reimburse the CITY within two (2) weeks of the last day of employment. CITY shall have no further reimbursement obligation as described in paragraph 3 above once EXECUTIVE'S employment ends.
8. **Warranty.** CITY makes no warranty, whether express or implied concerning the Equipment and shall have no responsibility whatsoever concerning the Equipment. CITY shall not repair, replace or insure the Equipment. However, the CITY will repair or replace City-installed software or configurations.
9. **Non-Discrimination.** EXECUTIVE and CITY covenant there shall be no discrimination against or segregation of any person or group due to race, color, creed, religion, sex, sexual orientation, marital status, age, handicap, national origin or ancestry, in any action or activity pursuant to this Agreement.
10. **General Provisions:**
 - 10.1 **Compliance with Law.** EXECUTIVE shall comply with all applicable laws, ordinances, codes, and regulations of the federal, state, and local government
 - 10.2 **Conflict of Interest and Reporting.** EXECUTIVE shall at all times avoid conflict of interest or appearance of conflict of interest in the performance of this Agreement.

- 10.3 **Notices.** All notices shall be personally delivered or mailed to the below listed addresses, or to such other address as may be designated by either party by written notice. These addresses shall be used for delivery of service of process.

Address of EXECUTIVE:

Address of CITY:

City of Costa Mesa
MIS Division
77 Fair Drive
Costa Mesa, CA 92626

With a copy to:

City of Costa Mesa
City Attorney's Office
77 Fair Drive
Costa Mesa, CA 92626

- 10.4 **Executive's Proposal.** This Agreement includes EXECUTIVE'S Computer Purchase Proposal that is incorporated herein. In the event of any inconsistency between the terms of the Computer Purchase Proposal and this Agreement, this Agreement shall govern.
- 10.5 **Time of Essence.** Time is of the essence in the performance of this Agreement.
- 10.6 **Indemnification Regarding Software.** EXECUTIVE agrees that any City supplied software for use with the Equipment will be used in accordance with all applicable laws, including, but not limited to, not making any unauthorized copies or transfers to third parties. EXECUTIVE shall protect, defend, indemnify, and hold harmless CITY and its elective or appointive boards, officers, agents, and executives from any and all claims, liabilities, expenses or damages of any nature, including attorneys' fees, for injury or death of any person, or damage to property, or interference with use of, and rights in, property or patents or licenses, whether pending or final, governing the right to use the software, arising out of, or in any way connected with nonperformance of this Section 10.6 by EXECUTIVE.

- 10.7 Return and Removal of City Installed Software.** If EXECUTIVE'S employment with the CITY ends for any reason, including, but not limited to, resignation, retirement or termination, EXECUTIVE shall, within two (2) weeks of the last day of employment, bring the necessary Equipment to the CITY for removal of all CITY installed software programs or equipment. EXECUTIVE understands that any rights to any software licensed to EXECUTIVE through the CITY will cease immediately upon the last day of employment with the CITY and EXECUTIVE shall no longer have the right to use said CITY owned programs or equipment.
- 10.8 Modification.** This Agreement constitutes the entire agreement between the parties and supersedes any previous agreement, oral or written. This Agreement may be modified only by subsequent mutual written agreement executed by the CITY and EXECUTIVE. The Costa Mesa Federal Credit Union loan documents are not a part of this Agreement.
- 10.9 Waiver.** All waivers of the provisions of this Agreement must be in writing signed by the appropriate authorities of the CITY and by EXECUTIVE.
- 10.10 California Law.** This Agreement shall be construed in accordance with the laws of the State of California. Any action commenced pursuant to this Agreement shall be initiated in the local or main branch of the Orange County Superior Court.
- 10.11 Interpretation.** This Agreement shall be interpreted as though prepared by both parties.
- 10.12 Preservation of Agreement.** Should any provision of this Agreement be found invalid or unenforceable, the decision shall affect only the provision found to be invalid or unenforceable and all remaining provisions shall remain in full force and effect.

**ADMINISTRATIVE REGULATION
CITY OF COSTA MESA**

A. R. 2.29
July 1, 2000
Revised: January 23, 2004
Page 10 of 11

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year shown below.

DATE: _____

CITY

By: _____
MIS Division Manager

DATE: _____

EXECUTIVE : _____

Job Title: _____

APPROVED AS TO FORM:

Costa Mesa City Attorney

Date: _____

**COMPUTER PURCHASE PROPOSAL
AND PAYROLL DEDUCTION REQUEST FORM**

Executive Name _____ **Date:** _____
(Please Print)

Department/Division: _____

Home Address: _____

City, State, and Zip: _____

Quantity	Description (Attach Quote if Necessary)	Price	MIS Use
	Total		

Vendor Name: _____

Vendor Address: _____

Company Representative Signature/Date:_____

Rates quoted above are good through: _____

City of Costa Mesa Executive's Signature/Date: _____

Department Director Authorization/Date: _____

MIS Authorization/Date: _____

EXECUTIVE PROFESSIONAL DEVELOPMENT REIMBURSEMENT PROGRAM

I. Purpose:

The City offers the Executive Professional Development Reimbursement Program to executive employees who have passed probation and all at-will Department Directors. The intent of this program is to encourage and recognize executive staff for pursuing educational, professional or community-oriented activities, enhancing job skills and expertise, and/or purchasing materials/equipment that improve the executive's performance. These activities, materials, equipment and/or fees are intended to be beyond what is budgeted for individuals through the annual budget cycle.

II. Policy:

The City agrees to reimburse Department Directors up to \$2,000 and Division Managers up to \$1,000 per fiscal year for activities, materials, equipment or fees that will aid in their individual professional development.

The reimbursement options available include the following:

- Professional memberships, licenses and certificates which are job-related;
- Professional conferences which are job-related including fees and other expenses while attending;
- Membership dues in community organizations;
- Purchase of job-related professional journals, periodicals, books or other written materials, or computer hardware which further knowledge or improvement of effectiveness in performance of duties;
- Annual payments for the Executive Computer Loan Guarantee Program defined in Administrative Regulation 2.29 up to the maximum \$2,000 per fiscal year for Department Directors and \$1,000 for Division Managers.

The Personnel Division shall administer this program in accordance to the stated purpose and will provide the appropriate forms and procedures. This reimbursement program does not prohibit individual departments from continuing to budget funds for staff attendance at professional conferences and seminars, for the payment of professional membership dues, and/or for the purchase of books, journals and written materials that are job-related and will enhance an executive's knowledge or expertise.

III. Reimbursement Procedure:

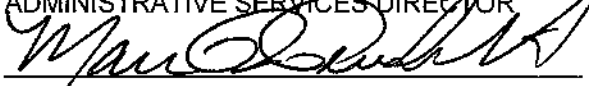
1. The Department Director and Administrative Services Department representative must approve participation in the activities and/or purchase of the materials/equipment in advance.
2. Each executive must complete an Intent to Participate form. For the Executive Computer Guarantee Loan Program, the Computer Purchase Agreement will serve as the Intent form.

3. For expenses to be eligible, they must be incurred after filing an Intent to Participate form or Computer Purchase Agreement and obtaining approval from the Department Director and Administrative Services Department representative.
4. Claims for reimbursement must be accompanied by documentation that an eligible expense has been incurred during the fiscal year for the executive only.
5. Claims for reimbursement shall be made on forms provided by the Personnel Division on which the executive declares the category of service received as identified above, the dates the expenses were incurred by the executive, by whom the service was provided and the amount being claimed.
6. The Finance Department shall pay claims submitted by the executive and approved by the Department Director and Administrative Services Department representative. The Administrative Services Department representative will approve for payment only those claims that are accompanied by documentation that an eligible expense has been incurred during the fiscal year.
7. Claims may be filed at anytime during the fiscal year and all claims must be filed no later than one month following the close of the fiscal year. Claims for the Executive Computer Guarantee Loan Program can only be filed once in the fiscal year.
8. Any portion of the reimbursement amount not incurred within the fiscal year shall remain City funds unless prior approval has been received by the City Manager. Requests to carry forward unencumbered amounts to the next fiscal year must receive prior approval by the City Manager.
9. All payments will be in the form of reimbursement and no employee will directly receive cash for this benefit.
10. At-will Department Directors hired or promoted after the commencement of the fiscal year will be eligible for this benefit on a pro rated basis the first day of the month following the hire or promotion date. Division Managers hired or promoted must complete probation and will be eligible for this benefit on a pro rated basis the first day of the month following the probation completion date. Part-time executives working in a full-time regular or limited-term position will be eligible to receive the benefit in proportion to the executive's regularly scheduled hours.

IV. Effective Date:

The effective date of this Administrative Regulation is July 1, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


MARC R. PUCKETT
DIRECTOR OF FINANCE


ALLAN L. ROEDER
CITY MANAGER

COMPUTER LOAN GUARANTEE PROGRAM

I. Purpose:

The City offers the Computer Loan Guarantee Program to full-time employees who have passed probation. The program allows employees to purchase personal and/or laptop computers and related hardware through a payroll deduction plan. The computers become the personal property of the employee. (Employees can also choose a direct cash purchase of computer hardware utilizing the City's preferred vendors under the applicable provisions below.)

II. Policy:

Rapid advancements in technology have created a need for employees to upgrade previously purchased hardware. Employees will be allowed either to use this program to upgrade their existing computer system or to replace their existing system under the guidelines and limits addressed below:

1. If applicable, the employee will apply for a loan with the Costa Mesa Federal Credit Union that will be subject to all Credit Union lending practices. The City will agree to guarantee the loan for the employee, which thereby will lower the interest rate on the loan.
2. Loan payments must be by payroll deduction. Each loan payment period shall not exceed 30 months and the value of the loan(s) shall not exceed \$3,500 per employee at any given time. A minimum amount of \$25 will be withheld each pay period, however, an employee may designate a higher payment if he/she so desires. The loan can be satisfied in less than 30 months if the employee so desires.
3. As a condition of the program, terminating employees participating in the program must satisfy any outstanding amounts of the loan(s) with either the final paycheck or personal check.
4. In order for an employee to receive a loan under the program for hardware upgrades or purchase of new hardware components that meet the City-approved minimum configuration, the employee must certify that he/she already owns the remaining components required to meet the minimum hardware configuration.
5. Hardware purchased under this program becomes the property of the employee.

III. Eligible Hardware:

The purchase must meet the City-approved minimum desktop or lap top configuration for hardware, software and peripheral equipment. All hardware must be new and carry a manufacturer's warranty.

Due to the dynamic nature of the industry, participants must meet with the M.I.S. Manager prior to any purchase to ensure that items meet the "then current minimum requirements".

The following are also City-approved hardware, software and peripheral equipment for this program.

- Synchronized Personal Data Organizer/Management Device (Palm Pilots, Handspring Visors, etc.)
- Laser Printer
- Scanner
- Zip Drive
- CD RW Drive
- Docking Station for Laptop Computer
- Joy sticks and other related equipment

IV. Procedure for Purchase:

1. The employee is responsible for arranging the computer purchase, using the listed hardware requirements, through a vendor of his/her choice. Employees are encouraged to use City preferred vendors or shop wisely for the best buy. The MIS Manager will maintain a list of the City's preferred vendors and the hardware available. It is hoped that vendors located in Costa Mesa will be given fair consideration.
2. When a store/vendor is selected, the employee will request that the vendor complete a City of Costa Mesa "Computer Purchase Proposal" verifying the type of hardware and exact price.
3. The employee will submit the completed Computer Purchase Proposal along with a signed Computer Purchase Agreement to his/her Department Director for approval. The Department Director will submit the entire package to the MIS Manager for final approval and processing. The Purchase Proposal will serve as a loan request form and the signed contract will authorize the payroll deduction to begin upon issuance of the loan by the Credit Union.
4. Completion of the purchase transaction is the responsibility of the employee. Any after purchase warranty service/maintenance is the complete responsibility of the employee/owner.
5. All of the necessary forms (Computer Purchase Proposal and Computer Purchase Agreement) will be available from the MIS Division.
6. An employee may purchase approved computer hardware from more than one vendor. In that situation, a Computer Purchase Proposal form must be

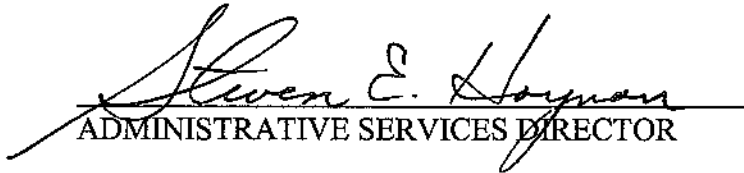
completed for each vendor. The Employee will also sign a revised Computer Purchase Agreement obligating him/her for the total amount advanced.

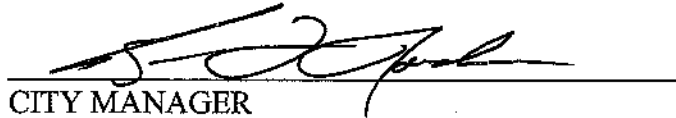
7. The employee may have more than one opportunity to participate in this program as long as the value of the loan(s) shall not exceed \$3,500 per employee at any given time.

V. Effective Date:

The effective date of this Administrative Regulation is September 1, 2001.

Revised: January 23, 2004


ADMINISTRATIVE SERVICES DIRECTOR


CITY MANAGER

COMPUTER PURCHASE AGREEMENT

THIS AGREEMENT is made this ____ day of _____, 20____ by the City of Costa Mesa, a municipal corporation ("CITY"), and _____, a full-time City of Costa Mesa Employee ("EMPLOYEE").

I. RECITALS

The following recitals are a substantive part of this agreement:

1. This Agreement is entered into pursuant to Costa Mesa City Council approval of Council Resolution No. 00-35 dated 5/15/00, and Administrative Regulation 2.29.
2. EMPLOYEE desires to purchase a personal computer, related hardware and/or software (hereafter "Hardware") as listed on the Computer Purchase Proposal, attached and incorporated herein by this reference, through CITY-approved vendors.
3. EMPLOYEE acknowledges and warrants that these funds will be used solely for the purchase of the Hardware and will not be used for the purpose of avoiding tax liability.
4. EMPLOYEE is qualified by virtue of experience, training, education and expertise to effectively utilize the Hardware or will obtain appropriate training in order to become so qualified.
5. CITY is willing to guarantee a loan by EMPLOYEE to obtain the funds needed to purchase the Hardware.

II. AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **Term of Agreement.** The term of this Agreement shall be _____ months (not to exceed 30), beginning on the date of purchase of the Hardware or until EMPLOYEE has through payroll deductions or by lump sum fully paid off the loan obtained for purchase of the Hardware.
2. **Hardware Purchase.** EMPLOYEE shall purchase the Hardware according to the following conditions:
 - 2.1 **Hardware.** The Hardware and vendors must receive prior approval by the CITY which will be evidenced by CITY's execution of the attached Computer Purchase Proposal form.

-
- 2.2 **Loan.** EMPLOYEE shall obtain a loan from the Costa Mesa Federal Union (hereafter "CMFCU") for the amount of the purchase price for the Hardware. The initial term of the loan shall not exceed 30 months, but may be shorter. The amount of the loan may not exceed \$3,500.00 at any one time. After the balance owed on the loan has been reduced by payments, EMPLOYEE may borrow additional funds to be added to the CMFCU loan so long as the total loan does not exceed \$3,500 and the additional funds shall only be used to purchase additional Hardware. Any subsequent Hardware purchase shall be evidenced by another Computer Purchase Proposal executed by the parties which shall become a part of and be incorporated into this Agreement by its attachment hereto.
- 2.3 **Payment by Payroll Deductions.** EMPLOYEE shall request that CITY make deductions from his or her pay each pay period through payroll deduction for direct payments on the loan to the CMFCU. The minimum amount of deduction each pay period shall be \$25.00. The entire loan amount shall be paid within thirty (30) months of the purchase of the computer hardware or execution of the loan, whichever occurs first. Absences from work, with or without pay, will not excuse or delay payroll deduction payments as stated in this section, unless approved in writing by the City Manager.
3. **Loan Guarantee.** CITY shall guarantee the loan to EMPLOYEE from CMFCU for the initial Hardware purchase funds up to a maximum amount of \$3,500 at any one time, including any subsequent loans for additional Hardware.
4. **Termination.** CITY and EMPLOYEE shall have the right to terminate this Agreement, without cause, by giving not less than fourteen (14) days written notice of termination. Upon termination, EMPLOYEE must pay CMFCU the full outstanding balance due on the loan.
5. **End of City Employment.** If EMPLOYEE'S employment with the CITY ends for any reason, the EMPLOYEE may elect to withhold from the EMPLOYEE'S final paycheck the unpaid balance of the loan amount. If the EMPLOYEE does not elect to withhold the remaining balance from the final check, the EMPLOYEE shall reimburse the CITY within two (2) weeks of the last day of employment.
6. **Warranty.** CITY makes no warranty, whether express or implied concerning the Hardware and shall have no responsibility whatsoever concerning the Hardware. CITY shall not repair, replace or insure the Hardware.

-
7. **Non-Discrimination.** EMPLOYEE and CITY covenant there shall be no discrimination against or segregation of any person or group due to race, color, creed, religion, sex, sexual orientation, marital status, age, handicap, national origin or ancestry, in any action or activity pursuant to this Agreement.

8. **General Provisions:**

- 8.1 **Compliance with Law.** EMPLOYEE shall comply with all applicable laws, ordinances, codes, and regulations of the federal, state, and local government.

- 8.2 **Notices.** All notices shall be personally delivered or mailed to the below listed addresses, or to such other address as may be designated by either party by written notice. These addresses shall be used for delivery of service of process.

Address of EMPLOYEE:

Address of CITY:

With a copy to:

City of Costa Mesa
MIS Division
77 Fair Drive
Costa Mesa, CA 92626

City of Costa Mesa
City Attorney's Office
77 Fair Drive
Costa Mesa, CA 92626

- 8.3 **EMPLOYEE's Proposal.** This Agreement includes EMPLOYEE'S Computer Purchase Proposal that is incorporated herein. In the event of any inconsistency between the terms of the Computer Purchase Proposal and this Agreement, this Agreement shall govern.
- 8.4 **Time of Essence.** Time is of the essence in the performance of this Agreement.
- 8.5 **Modification.** This Agreement constitutes the entire agreement between the parties and supersedes any previous agreement, oral or written. This Agreement may be modified only by subsequent mutual written

agreement executed by the CITY and EMPLOYEE. The Costa Mesa Federal Credit Union loan documents are not a part of this Agreement.

- 8.6 **Waiver.** All waivers of the provisions of this Agreement must be in writing signed by the appropriate authorities of the CITY and by EMPLOYEE.
- 8.7 **California Law.** This Agreement shall be construed in accordance with the laws of the State of California. Any action commenced pursuant to this Agreement shall be initiated in the local or main branch of the Orange County Superior Court.
- 8.8 **Interpretation.** This Agreement shall be interpreted as though prepared by both parties.
- 8.9 **Preservation of Agreement.** Should any provision of this Agreement be found invalid or unenforceable, the decision shall affect only the provision found to be invalid or unenforceable and all remaining provisions shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year show below.

DATE: _____

MIS Division Manager

DATE: _____

EMPLOYEE

Job Title: _____

Phone #: _____

Social Security #: _____

APPROVED AS TO FORM:

COSTA MESA CITY ATTORNEY

Date: _____

OUTSIDE EMPLOYMENT

I. Purpose:

The purpose of this regulation is to establish a uniform policy to monitor and regulate outside employment for all City employees.

II. Policy:

An employee may not engage in employment, other than his/her job with the City of Costa Mesa, except with the approval of his/her department directors (City Manager's approval for department directors) and only if such employment does not interfere with the performance of assigned duties, does not constitute a conflict of interest, and does not expose employee to significant likelihood of injury or sickness (*Personnel Rule 15 – Outside Employment*). Approval shall not be granted for any firm that does business with the City of Costa Mesa or for an employee who wishes to engage in any outside employment, activity or enterprise for compensation when such outside employment would otherwise compromise the ability of the City to conduct its business in an efficient manner. Such approval shall be consistent with California Government Code, Sections 1126 through 1129.

The City of Costa Mesa reserves the right to determine if a conflict exists, and if as determined by the City there is a conflict, to take appropriate measures, including requiring the employee to terminate such outside employment. Employees who willfully continue employment in which a conflict exists may be subject to disciplinary action.

An employee injured during his/her outside employment may not use his/her accrued sick leave credit and such employee must be covered by such outside employer's workers' compensation insurance. Employees working as self-employed individuals must agree to hold harmless and indemnify the City of Costa Mesa.

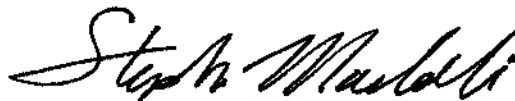
III. Procedure:

- A. Prior to initiating any self-employment or accepting an offer of outside employment, an employee shall submit a completed Outside Employment Request form to his/her immediate supervisor. Employee shall provide the name and address of the outside employer, the nature and duties of the position and the proposed work.
- B. The employee's immediate supervisor shall review the request and provide a recommendation for approval to the department director. The department director shall forward the final approval to Human Resources. Department directors who are considering outside employment must request approval from the City Manager.
- C. Employee shall annually renew their outside employment request in December of each year by submitting a new Outside Employment Request form to his/her immediate supervisor and department director for approval.

- D. Any time there is a change in outside employment (employer, hours of work, etc.), employee shall complete a new Outside Employment Request form and submit to his/her immediate supervisor and department director for approval.
- E. If an employee has terminated his/her outside employment, employee shall complete an Outside Employment Request form indicating that employment has been terminated and submit to Human Resources.
- F. Volunteer activities should be discussed with Human Resources or department as they may constitute "employment" under this program.
- G. If an employee wishes to appeal a denial of outside employment, he/she may follow the grievance procedure outlined in his/her Memorandum of Understanding.

IV. Effective Date:

This effective date of this Administrative Regulation is October 1, 2007.



STEPHEN N. MANDOKI
ADMINISTRATIVE SERVICES DIRECTOR



ALLAN L. ROEDER
CITY MANAGER



CITY OF COSTA MESA

OUTSIDE EMPLOYMENT REQUEST

(ADMINISTRATIVE REGULATION 2.32)

Employees may not engage in employment, other than their job with the City of Costa Mesa, except with the approval of his/her department director (City Manager's approval for department directors) and only if such employment does not interfere with the performance of assigned duties, does not constitute a conflict of interest, and does not expose employee to significant likelihood of injury or sickness. (*Personnel Rule 15 – Outside Employment*)

Volunteer activities should be discussed with Human Resources or Department as they may constitute "employment" under this program.

Note: This form is to be renewed annually in December or if there is a change in outside employment.

REQUEST	
<input type="checkbox"/> Initial Request	<input type="checkbox"/> Annual Request
<input type="checkbox"/> Change	
Employee's Name:	
Name of Outside Employer:	
Address:	
Phone Number:	
Date Other Employment Began:	
Type of Work/Duties	
Hours of Work Per Day:	Hours of Work Per Week:

I request approval of the above outside employment. I have read and understand the provisions of Administrative Regulation 2.32 – Outside Employment). I also waive my rights to any worker's compensation claim against the City of Costa Mesa should an injury or illness occur from such outside employment. Additionally, I certify that this outside employment will not conflict or interfere with my job with the City. I also understood that the City reserves the right to determine if a conflict exists, and if as determined by the City there is a conflict, to take appropriate measures, including requiring me to terminate such outside employment. Failure to abide by the terms of this agreement may result in disciplinary action.

Employee's Signature

Date

DEPARTMENTAL ACTION

Supervisor Approval Recommendation: ☐ Recommended ☐ Not Recommended

Comments/Recommendations:

Department Director Approval: ☐ Approved ☐ Not Approved

(City Manager approval if request is for Department Director)

Department Director/City Manager Signature

Date

TERMINATION OF OUTSIDE EMPLOYMENT

Please be advised that as of this date, I hereby state that I have terminated from the aforementioned outside employment.

Employee's Signature

Date

KL 9/24/07

ATTACHMENT OF EMPLOYEE'S SALARY

I. Purpose:

The purpose of this regulation is to establish an administrative policy concerning personal financial responsibility for City employees and procedures for handling creditors' attachment or garnishment of an employee's salary.

II. Policy:

It is the responsibility of every City employee to pay all debts as promptly as possible to avoid having an attachment of wages filed with the City.

Repeated attachments of an employee's wages shall be considered to be prima facie evidence of personal financial irresponsibility and may be grounds for disciplinary action.

III. Procedure:

A. Upon receipt of a legal notice to withhold a portion of a City employee's wages, the Finance Department shall:

1. Immediately confer with the City Attorney's office to insure that said attachment is legally proper and enforceable.

NOTE: The City Attorney must be provided with information concerning the Date, Time, Place, Manner, and upon Whom the attachment was served, as well as the documents involved, in order to make such an evaluation.

2. Notify the employee's Department Head.
3. Notify the Personnel Department.
4. Prepare to withhold that portion of the employee's salary, as prescribed by law, commencing with the current payroll cycle, provided that a proper Release has not been received as hereinafter provided.

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 3.1

Section 1-~~3~~4

January 6, 1975 Revised

Page 2 of 2

- B. Said attachment shall be honored and the legally prescribed deductions shall be made, with separate checks for exempt funds payable to the employee and non-exempt funds to cover the attachment payable to the Marshal of the court issuing said order of attachment and forwarded to the designated payee(s) unless a Release thereof is processed through the Finance Department, as follows:
1. Any written Release, other than a subsequent court order, must be received in the Finance Department by 9:00 a.m.; two days prior to the next applicable pay day. If any such Release is received after that time, the payroll checks shall be issued in accordance with the original court order, irrespective of the late receipt of such Release, and may be forwarded to the respective designated payee(s) or given to the employee involved for disposition as the case may require. Any such written Release must satisfy the Finance Department that the attaching creditor, or his attorney, is no longer relying on the original court order.
 2. Irrespective of the time limits referred to in 1. above, if the Finance Department receives a subsequent court order releasing or vacating its prior order of attachment before the payroll checks have been relinquished for the Department's custody, such court order must be complied with and new checks prepared (manually) accordingly.

IV. Effective Date:

The effective date of this Administrative Regulation is January 6, 1975.


FRED SORSABAL
CITY MANAGER

TELEPHONE SERVICE

I. **Purpose:**

The purpose of this regulation is to establish a procedure whereby the various City departments may order changes and repairs to their telephone service.

II. **Procedure for changes:**

- A. The department manager shall submit a written request to the Telecommunication Manager.
 - 1. The request must include:
 - a. Specific locations, telephone numbers, and instrument identification designation when applicable.
 - b. Specific changes requested.
 - c. Name of any person designated for the Telecommunications Division representative to contact regarding the request.
- B. The Telecommunications Division shall review the request, and, when appropriate, make recommendations to the department manager.
- C. The requesting department will be charged for the approved change in telephone service.
- D. The Telecommunications Division will provide the appropriate information to the Financial Operations Division to insure the requesting department is charged for the requested telephone service.
- E. Changes in the telephone service will only be authorized if this procedure is followed.
- F. The requesting department should discuss all considered changes fully with the Telecommunications Manager to evaluate that changes will improve the telephone service.

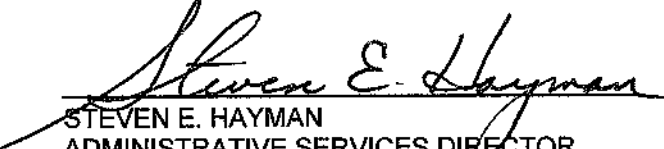
III. **Procedure for service repairs:**

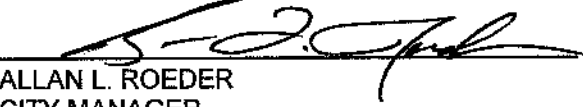
- A. The department experiencing any malfunction to their telephone service should report the malfunction to the Telecommunications Division. There are two methods you may use to make the report, email to the Telecommunications Manager or call the Help Line at 4800.
- B. The Telecommunications Division will either repair the problem or order repairs from the appropriate vendor.

- C. If service has not been restored within seventy-two (72) hours, the requesting department should notify the Telecommunications Division.

IV. Effective Date:

The effective date of this Administrative Regulation is January 1, 1977 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

COMMITMENT LIMITS ON PURCHASES

I. Purpose

The purpose of this regulation is to define the authority of various officials to authorize purchases of supplies, equipment, contractual services, sales of personal property without a formal bid procedure, to establish limits on said authority, and to define the responsibilities of said officials.

II. Policy

The commitment limits on all purchases shall be in conformance with the Costa Mesa Municipal Code, Sections 2-170 et. seq. and the City's adopted Purchasing Manual. The following written authorizations are required for commitments on purchases in the enumerated amounts cited below:

- A. For purchases up to \$5,000: The Assistant Director of Finance is authorized to approve, and Budget and Research Officer must certify the appropriation.
- B. For purchases greater than \$5,000: The Director of Finance is authorized to approve, the Budget and Research Officer must certify the appropriation, and the Assistant Director of Finance approves the expenditure.

III. Effective Date

The effective date of this Administrative Regulation is October 1, 1994.

ALLAN L. ROEDER
CITY MANAGER

BUDGET ADJUSTMENTS

I. Purpose:

To establish a policy and common procedures to be used by departments to propose and justify modifications in their budget due to changes in revenues and/or the expenditure program during the fiscal year.

II. Policy:

The City Manager and, when necessary, the City Council, may consider requests for changes in the budget during the fiscal year that have been properly submitted by departments and which are necessitated by changes in circumstances unforeseen at the time of the original budget approval.

The department managers are expected to maintain control of expenditures in order to properly administer their programs. When events occur that require a modification in a budget, the department manager should take immediate action to request changes in the budget to reflect the changed situation.

III. Criteria:

A. Budget adjustment which requires only Finance Director approval:

1. An appropriation transfer between objects of expense, divisions, and/or departments involving an amount of \$500 or greater.
2. An appropriation increase and/or decrease involving any capital outlay item.
3. A revenue estimate increase and/or decrease to or from the "Unappropriated Fund Balance" of a fund involving any amount.

B. Budget adjustment which requires City Manager approval upon Finance Director recommendation:

1. An appropriation transfer between capital improvement projects within the same fund when the amount is \$10,000 or less.

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A. R. 3.4

Section 1-5

May 15, 1990 Revised

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2. An appropriation decrease to the "Unappropriated Fund Balance" of a fund involving any amount.
- C. Budget adjustment which requires City Council approval upon City Manager recommendation:
 1. An appropriation increase from the "Unappropriated Fund Balance."
 2. An appropriation increase for any new capital improvement project.
 3. An appropriation transfer between capital improvement projects within the same fund when the amount is \$10,000 or more.

IV. Procedure:

- A. The department requesting a budget adjustment should submit a written request and explanation (memo form) to the Budget and Research Officer. The explanation should include the amount, the account number(s), and the element number(s), along with a reason necessitating the request. In situations where the appropriation is a new appropriation, a revenue source or resource should be indicated.
- B. The Budget and Research Officer shall certify the request as to form and availability of funds, prepare the necessary forms, and forward all materials to the Finance Director for approval.
- C. The Finance Director shall review the request, approve or deny the request, and forward the form to the City Manager for consideration. Should the Finance Director disapprove the request, he/she shall state his/her reasons and return it to the initiating department.
- D. The City Manager shall review the request and approve or deny the request. Should the request meet the criteria for City Council consideration, the City Manager shall prepare a recommendation and arrange for City Council consideration.
- E. After final action has been taken by either the City Manager or City Council, the City Manager shall return the complete form along with material information to the Budget and Research Officer for final distribution.

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Section 1-5

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F. Upon receipt, the Budget and Research Officer shall retain one copy, forward one copy to the Accounting Division, and forward one copy to the requesting department.

V. Effective Date:

The effective date of this Administrative Regulation is May 15, 1990



ALLAN L. ROEDER
CITY MANAGER

CAPITAL IMPROVEMENT PROJECTS

I. Purpose:

The purpose of this regulation is to establish policies and procedures with regard to financial actions related to a Capital Improvement Project.

II. Policy:

- A. It is the policy of the City Manager that all Capital Improvement Projects shall be monitored by the Finance Department.
- B. The Finance Department is assigned the responsibility to establish and maintain the necessary procedures to provide adequate financial information and control.
- C. The Finance Department shall periodically review each Capital Improvement Project and report to the City Manager on projects where financial or potential financial problems may exist.
- D. The department requesting and initiating a Capital Improvement Project is responsible for the administration of that project.
- E. All financial actions pertaining to a Capital Improvement Project must be approved in writing by the initiating department head, the Director of Finance, and the City Manager. This approval process must be completed before any initial or additional appropriations can be encumbered or expended.
- F. A financial action is defined as: 1) Opening a project; 2) A revision of an appropriation (increase or decrease) by means of a Budget Adjustment Authorization; 3) Cancelling an appropriation; 4) Combining an appropriation; 5) Splitting an appropriation; 6) Continuing an appropriation, and 7) Closing a project.

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A. R. 3.5
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- G. Capital Improvement appropriations are normally valid only for the fiscal year in which they are budgeted. Positive action to extend the life of an appropriation beyond the end of the current fiscal year must be accomplished or the appropriation will be cancelled and the project will be considered to be completed.

III. Procedure:

- A. Prior to any action taken on a Capital Improvement Project, a "Capital Improvement Project Schedule" (CMF 00039-20) must be completed and submitted to the Finance Department by the responsible department. This must be accomplished prior to the beginning of the fiscal year in which the project is budgeted. This will also be necessary for all unbudgeted projects.
- B. A department desiring to initiate any action as defined in Policy, Section F, must complete a "Capital Improvement Action Request" form (CMF 0128-20), and receive approval before taking that action. This form should contain all required information to clarify the request.
- C. When the "Capital Improvement Action Request" indicates a revision in the appropriation, this form should also be accompanied by an appropriate "Budget Adjustment Authorization". This process will also be necessary for all unbudgeted projects.
- D. Upon completion of the "Capital Improvement Action Request" it should be forwarded by the responsible department to the Director of Finance for review and recommendation.
- E. After recommendation by the Director of Finance, the form should be forwarded to the City Manager for approval.

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A. R. 3.5
Section 1-4
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- F. If approved by the City Manager, the form should be returned to the Finance Department for the assignment of an account number, if applicable, and the distribution of approved copies to the appropriate persons.
- G. The original copy of the form will be returned to the responsible department for re-use as additional actions become necessary.

IV. Effective Date:

The effective date of this regulation is October 1, 1974.



FRED SORSABAL
CITY MANAGER

CAPITAL IMPROVEMENT ACTION REQUEST

Date: _____

PROJECT TITLE: _____

Account Number

--	--	--	--	--	--	--	--	--	--

(Completed by Finance Department)

Appropriation Description	Amount
Initial Appropriation -- Fiscal Year _____ Budget Page No. _____ Item No. _____ (Budget Adjustment No. _____)	\$ _____
Balance	
First Appropriation Revision (Budget Adjustment No. _____)	\$ _____
Balance	
Second Appropriation Revision (Budget Adjustment No. _____)	\$ _____
Balance	

Nature of Work: _____

Job Location: _____

Work Performed By: _____ Contracted _____ Force Account _____

Estimated Start Date: _____ Estimated Completion Date: _____

Reimbursable Funds: Yes _____ No _____ Source: _____ Amt. \$ _____


Additional Information: _____

APPROVED:

Action Requested	Department Head	Date	Finance Department	Date	City Manager's Office	Date
Open Project						
1st Appropriation Revision						
2nd Appropriation Revision						
Cancel Appropriation						
Combine Appropriation						
Split Appropriation						
Continue Appropriation						
Close Project						

NOTE: This form must be completed and approved before any action can be taken by the initiating department.

CITY OF COSTA MESA
INTER OFFICE MEMORANDUM

TO: All Department/Division Managers
FROM: Allan L. Roeder,  City Manager
DATE: October 24, 1995
SUBJECT: Repealment of AR 3.6

Based upon the attached memorandum from Richard Averett, please delete AR 3.6 from the City's Administrative Regulations handbook. Based upon existing regulations already in place, this AR is no longer necessary.

/df

Attachment

CITY OF COSTA MESA

INTER OFFICE MEMORANDUM

September 26, 1995

TO ALLAN ROEDER
City Manager

FROM RICHARD AVERETT
Budget Officer



SUBJECT: ADMINISTRATIVE REGULATION 3.6 -- GENERAL ADMINISTRATIVE COSTS

RECOMMENDATION

Delete Administrative Regulation 3.6 (AR 3.6) from the City's Administrative Regulations handbook.

BACKGROUND

AR 3.6 was approved April 15, 1977, to establish policy and procedure for controlling the expenditure of General Administrative funds. General Administrative funds were commonly referred to as General Administration Costs (GAC) and covered categories of expenditures such as employee and retiree benefits, general liability insurance, Citywide memberships, and other expenses not assigned to specific departments.

Beginning in fiscal year 1992-93 and concluding in fiscal year 1993-94, all GAC budgeted and expended items were transferred to the appropriate departments, divisions, and elements. Items previously charged to GAC are made in conformance with Costa Mesa Municipal Code, Sections 2-170 et. seq., the City's adopted Purchasing Manual, and AR 3.3 - Commitment Limits on Purchases, as are all City purchases. Therefore, AR 3.6 is no longer needed because there are no remaining GAC classified expenditures, and there are adequate internal controls in place for controlling and monitoring all City purchases.

mr

Attachment: AR 3.6

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 3.7
Section 1-IV
May 31, 1979

COLLECTION OF PAYROLL OVERPAYMENTS

I. Purpose:

The purpose of this regulation is to establish a procedure for the collection of payroll overpayments made to City employees.

II. Policy:

The Personnel Department shall have the prime responsibility for determining if the City employee's paycheck reflects an overpayment and if so, the amount of the overpayment. The method of repayment shall be determined by the Director of Finance.

III. Procedure:

- A. All potential overpayments made by means of a payroll check will immediately be brought to the attention of the Personnel Director.
- B. The Personnel Department shall determine if an overpayment has been made and if so, will immediately notify the Finance Department, in writing. The Finance Department will make an independent verification.
- C. Upon verification of the overpayment, the Director of Finance will determine the terms of the repayment after consultation with the appropriate department head and/or employee. The Finance Director will then notify the employee, in writing, of the amount of the overpayment and the terms of the repayment. A copy of this notification shall also be sent to the Personnel Department.
- D. Upon the completion of this process, the Accounting Division will begin making the proper deductions from the employee's paycheck.

IV. Effective Date:

The effective date of this Administrative Regulation is July 1, 1979.


FRED SORSABAL
CITY MANAGER

VOLUNTARY PAYROLL DEDUCTIONS - INTERNAL REVENUE SERVICE ATTACHMENTS

I. Purpose:

The purpose of this regulation is to establish an administrative policy for processing requests from employees to execute voluntary payroll deduction agreements with the Internal Revenue Service and other governmental agencies, as appropriate, in lieu of levies (wage attachments).

II. Policy:

It is the policy of the City to execute voluntary payroll deduction agreements with the Internal Revenue Service and other governmental agencies, as appropriate, on behalf of employees who would otherwise be subject to drastic wage levies.

Approval of these agreements would be subject to the following conditions:

1. Payment in advance to the City at the rate of \$7.50 per payroll check for each payroll deduction required.
2. If the employee is terminated for any reason prior to complete satisfaction of the agreement, the agreement is cancelled and becomes null and void.

III. Procedure:

A. Upon receipt of a request from an employee and IRS Form No. 2159, Payroll Deduction Agreement completed and executed, the Finance Department shall:

1. Notify the employee's Department Head.
2. Notify the Personnel Department.
3. Require the employee to execute a Voluntary Internal Revenue Service Payroll Deduction Authorization.
4. Collect the prescribed fee.
5. Prepare to withhold that portion of the employee's salary as authorized by Form 2159, commencing with the current payroll cycle.

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 3.8

Section 1-4

December 10, 1987

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- B. The agreed upon deduction shall be made, with separate checks issued to: the Internal Revenue Service or appropriate governmental agency for the amount of the agreed upon deduction; and the employee for the balance due for that payroll period. This procedure shall continue until the total amount specified in Form 2159 is fully paid to the Internal Revenue Service.

IV. Effective Date:

The effective date of this Administrative Regulation is January 1, 1988.



ALLAN L. ROEDER
CITY MANAGER

August 8, 1989

TIME CARD ADJUSTMENTS

I. Purpose:

The purpose of this regulation is to establish a uniform procedure to allow City employees to correct and make adjustments to the bi-weekly time cards.

II. Policy:

Time cards are submitted by each City employee to the Accounting Division on a bi-weekly basis. The time cards are the official timekeeping documents for each employee and are subject to audit. Hours worked are entered on the time card according to code. Each employee is responsible for the accuracy of his/her time card which must be signed and approved by his/her supervisor. Each employee has 60 days after the end of the pay period to correct any errors on his/her time card. Requests for corrections must be made in writing with the approval of the employees' Department Head or his/her designated Division Head and/or management employee. After the 60-day period, no corrections or adjustments may be made on the time card which will be the official document of record of time worked during that pay period.

III. Effective Date:

The effective date of this Administrative Regulation is August 13, 1989.



ALLAN L. ROEDER
CITY MANAGER

EXPENSE REIMBURSEMENT AND/OR OVERNIGHT TRAVEL

I. PURPOSE:

The purpose of this regulation is to establish guidelines for attendance at various conferences and meetings from which the City will derive a specific benefit through attendance by City personnel.

This regulation is also intended to define the City's expectations of its employees who are authorized or required to travel in connection with their work responsibilities and clarify which expenses the City will reimburse and which expenses are considered the personal responsibility of the traveler.

II. POLICY:

In general, all reimbursements to travelers are a use of public funds. The City expects to reimburse reasonable costs incurred by City employees when traveling on City business, and City employees are expected to use good judgment in their expenditure of public funds.

Also, the attached Travel Guidelines are hereby incorporated into this policy statement by reference.

A. Definitions:

1. Business travel is defined as authorized attendance at conferences, meetings, and seminars or authorized travel for any other purpose in connection with official City responsibilities. Business travel includes day trips and trips requiring one or more overnight stays.
2. Local travel is defined as travel within a radius of fifty miles from the employee's regular worksite.
3. Out-of-town travel is defined as any travel greater than fifty miles from the employee's regular worksite or primary domicile, if closer to the conference, meeting, or seminar location.
4. Mileage allowance is defined as the reimbursement paid to the employee for the use of his/her personal vehicle during travel on official City business. The mileage reimbursement rate will be the then-current rate established by the Internal Revenue Service.

B. Provisions:

1. All conferences and meeting involving an overnight stay and/or cash advance will be reimbursed in accordance with this regulation.
2. Attendance at conferences shall be allowed only when said conference is planned for in the department's budget. Conferences or seminars not planned for in the department's budget require advance approval by the City Manager prior to the event.
3. The only persons permitted to attend out-of-state conferences shall be department directors, unless specific permission has been granted in advance by the City Manager.
4. Any department director who plans to attend or send an appropriate alternate to a conference within a five hundred (500) mile radius of the City of Costa Mesa must budget such conference in regard to the estimated expenses.
5. a) If in the judgment of the Department Director, the estimated expense is too high to expect the employee to finance it himself/herself and be reimbursed at the end of the month, the Department Director may authorize a cash advance of a minimum of one hundred (\$100) dollars up to a maximum of one thousand five hundred (\$1,500) dollars to the employee. Exceptions may be granted by the City Manager.

b) Cash advances shall be restricted to per diem allowances where possible.

c) Approved cash advances up to \$400 should be submitted to the Finance Department three weeks prior to departure date. The payment will be made, in cash, out of the conference Expense Advance Fund. Approved advances in excess of \$400 should be submitted to the Finance Department five weeks prior to departure date. The payment will be paid by City warrant.

d) Where possible, all requests for advance payment of conference-related expenses (i.e. Registration or Hotel expenses) must be submitted to the Finance Department five weeks prior to departure date. The payments will be paid directly to the vendor by City warrant.

e) The employee will be notified by the Finance Department when the requested funds are available for pickup immediately prior to the dates of travel. Receipt of a cash advance for travel expenses does not constitute pre-approval for the expenditure of the entire amount so advanced, as all expenditures must be justified and approved.

6. No reimbursement shall be made for any person other than the employee authorized to attend the conference or meeting.
7. Spouses and guests are permitted to accompany the employee on City travel and at conferences, seminars, and meetings, except when such accompaniment would interfere with the conduct of City Business. Any additional costs associated with the participation of the spouse or other guests are the employees' responsibility.

III. EXPENDITURE GUIDELINES:

A. Transportation, Air Travel, and Mileage Reimbursement:

A Coach economy-class airplane passage will be considered standard for all out-of-state travel. Air travel is usually more economical in time and money than other modes of transportation in making long trips. Round trip tickets shall be purchased whenever air transportation is used. Receipts for transportation expenditures must be obtained and submitted with the expense claims. No travel allowances will be made in excess of actual costs of transportation.

Use of personal vehicles for out-of-state travel may be allowed subject to the approval of the Department Director when the convenience of the City is served, and under certain circumstances when the convenience of the employee is served. When personal vehicles are approved for out-of-state travel, the total payment for mileage reimbursement shall not exceed the cost of Coach economy-class air passage. In this event, an estimate of the costs of air transportation secured in advance of the travel should be submitted to the Finance Department together with the expense report.

Use of personal vehicles for out-of-city trips within the state may be approved by the Department Director. When this mode of transportation is used, mileage expenses will be reimbursed at the then-current standard mileage rate per the Internal Revenue Code. This is a set rate per mile used to compute a rate of reimbursement for the costs of operating a personal vehicle for business use. However, in no case will the amount paid exceed the cost of Coach economy-class air passage. Reasonable parking and/or vehicle storage costs will also be allowed.

When air transportation is used, expenses for local transportation such as taxicab, bus fare, and car rental will be allowed whenever such transportation is necessary for the conduct of City business. If available, airport shuttles and/or complimentary shuttles provided to attendees at the conference, seminar, and/or meeting shall be utilized.

B. Lodging

Expenses will be allowed for adequate lodging. Hotel accommodations should be appropriate to the purpose of the trip. Hotel accommodations should be for the standard room rate, government rate, or conference attendee rate, whichever is less. Original receipts for lodging must be provided to reconcile amounts paid directly

for lodging and/or to obtain reimbursement. A written claim form for exemption to the Transient Occupancy Tax should be submitted to the Hotel if such an exemption is available.

Personal charges (i.e. personal phone calls, in-room movie charges, use of spas or gyms, laundry or dry cleaning, miscellaneous sundries, optional quasi-social functions or events in connection with a conference or other items of a personal nature) are the responsibility of the traveler.

C. Telephone calls

Telephone charges will be allowed for official business calls only.

D. Per Diem Allowance

All employees traveling out-of-town are deemed to be on a "per diem" plan for purposes of submitting supporting documentation and receipts for any cash advance or per diem allowances in accordance with Internal Revenue Service regulations then in effect. Therefore, receipts are not required for meals and incidental expenses (M&IE) reimbursed as a part of the per diem allowance.

Employees are responsible for their own meals and incidental expenses for all local travel. On an exception basis, department directors may allow reimbursement of meals and incidental expenses up to the per diem allowance for local travel.

The per diem allowance shall be the standard meal allowance for meals and incidental expense in effect for the area where the traveler stops for rest or sleep as outlined in the current U.S. General Services Administration (GSA) Per Diem Rate Schedule. A copy of the current schedule in effect for California cities shall be issued annually by the Director of Finance. Upon request, the Finance department will provide the per diem rate in effect for travel to destinations outside of California.

The following table outlines the current meals and incidental expense breakdown effective as of October 1, 2005. The Finance department shall determine the applicable rate for the traveler.

Meals and Incidental Expense (M&IE) Breakdown

M&IE	\$39	\$44	\$49	\$54	\$59	\$64
Breakfast.....	7	8	9	10	11	12
Lunch.....	11	12	13	15	16	18
Dinner.....	18	21	24	26	29	31
Incidentals.....	3	3	3	3	3	3

The per diem rate, including any tips and snacks, shall be allocated for meals on all trips and/or conferences and shall be prorated for partial days in accordance with the table above.

Because of reimbursement limitations by other agencies (such as P.O.S.T) or other budget constraints, department directors may implement specific meal allowances in amounts less than those outlined within the M&IE table.

In calculating allowable meal expenses for partial days, the following guidelines should be used:

Departure

- If you depart after 8:00 a.m., deduct the breakfast allowance for that day.
- If you depart after 2:00 p.m., deduct the breakfast and lunch allowances for that day.
- If you depart after 8:00 p.m., deduct all meal allowances.

Return

- If you return after 8:00 p.m., you may claim the full per diem meal allowance for that day.
- If you return between 2:00 p.m. and 8:00 p.m., you may claim the breakfast and lunch allowances.
- If you return between 8:00 a.m. and 2:00 p.m., you may claim the breakfast allowance.

General

- If meals are provided without charge at a meeting or while in transit (meals served on a plane, for example), appropriate deductions must be made from the per diem meal allowance.

The traveler is expected to consume the meals at the conference, meeting or seminar. Meals paid for by management level personnel in the course of their official duties for elected or appointed officials of the City shall be exempt from the per diem limitations outlined herein.

E. Lodging, Meals and Travel Time When Traveling by Personal Car

In instances where use of personal automobiles for out-of-state travel is approved for the convenience of the employee, lodging, meals and other expenses will be allowed on the same basis as if the employee had traveled by air.

Travel time will also be allowed on the same basis as if the employee had traveled by air. The employee will charge to the City only the time that would have been required to make the trip using air transportation. Any time used in excess of air travel time will be charged to said employee's vacation and/or other leave bank.

F. Registration Fees

Wherever possible, advance registration should be made. However, if this is not accomplished and the employee pays for registration upon arrival at said conference, an original receipt or some other documentation of the amount paid for the fee shall be provided with the expense reimbursement claim form.

IV. REIMBURSEMENT:

To be reimbursed for travel expenditures, an employee must complete and sign his Conference Expense Report, Form CMF 0542-20, obtain Department Director and Director of Finance approval, and file the expense report with the Finance department. No reimbursement shall be made until the expense report has been properly executed and approved. All reimbursements will be paid by City warrant.

All Conference Expense Claims must be submitted to the Director of Finance within twenty-one (21) days after returning from the conference and/or trip. Original receipts for all items must be attached to the expense claim except as provided in Section III-D.

V. RECONCILIATION OF ADVANCE PAYMENTS:

If an employee has accepted a cash advance, a reconciliation of the advance payment must be made on the basis of actual expenses incurred as part of the expense report. If actual expenses exceeded the amount of the advance, upon approval of the Director of Finance, said expenses will be reimbursed. If actual expenses do not exceed the expense advance received, said employee shall attach a personal check made payable to the City of Costa Mesa for the unused portion of said advance to his "Conference Expense Report."

It is again emphasized that advance payments do not constitute approval to spend the entire amount advanced. All expenditures must be justified as part of the submission of the expense report by the employee after returning from the conference and/or trip.

The effective date of this revised Administrative Regulation is May 16, 2006.


MARC R. PUCKETT
DIRECTOR OF FINANCE


ALLAN L. ROEDER
CITY MANAGER

City of Costa Mesa

TRAVEL GUIDELINES – Adopted effective May 16, 2006

OVERVIEW

These guidelines establish the basic policies and procedures for travel on City business by all employees and officials. Everyone who travels on City business - or supervises someone who travels - is responsible for knowing and following these guidelines.

These guidelines are organized into seven sections:

- General standards
- Planning an official trip
- Submitting travel authorizations and cash advance requests
- Making the trip
- Incurring non-travel expenses
- Accounting for expenses
- Completing travel authorizations/expense reports

The key document in the administrative process is the Expense Report (ER). Besides ensuring that travel by City employees and officials is conducted in accordance with adopted policies, the ER summarizes the total cost of attending conferences, meetings, and seminars and provides documentation for cash advances and vendor payments. General instructions for completing and processing this form are also included in these guidelines.

GENERAL STANDARDS

These guidelines do not require you to take a bus, stay in a cheap motel, or eat only in fast food restaurants. A bus or a train may cost less than a plane, but the added time away from work can make these slower options more expensive to the City overall. The meal allowances established in these guidelines allow you to eat in moderately priced restaurants.

In all areas, not just costs, you are responsible for exercising good judgment in requesting, arranging, and making a trip. It should be thoroughly planned, well in advance. Personal business should not be mixed with official business if it will cost the City anything in dollars or lost time, or if it will harm the City's interests in any way.

These guidelines are not intended to address every issue, exception, or contingency that may arise in the course of City travel. Accordingly, the basic standard that should always prevail is to exercise good judgment in the use and stewardship of the City's resources.

PLANNING AN OFFICIAL TRIP

How will you travel?

When planning the transportation portion of your trip, consider all aspects of cost to the City - daily expenses, overtime, lost work time - as well as actual transportation costs. In general, common carrier (bus, train, plane) is the preferred mode of transportation. You should use an intercity bus, train or airplane unless there is a valid reason for using private transportation. For example, use of a City vehicle - especially if two or more employees or officials are traveling together - may be less expensive for travel within the State. However, as noted above, the increased time for automobile transportation - and the potential for lost work time, overtime, or increased lodging costs - should be considered in determining the best mode of transportation.

All air travel on City business should be coach class.

If you will be driving, you should use a City vehicle if one is available. You may request a cash advance to purchase gasoline or request reimbursement when you return. If a City vehicle is not available, or there is another reason why you should drive your personal car, you may do so with the approval of your department head. You will be reimbursed at the currently approved standard mileage rate.

To drive a privately owned vehicle on City business you must:

- Possess a valid California driver's license.
- Carry liability insurance limits required by the City's Risk Management Office.
- Realize that any damage to the car, needed service, or repair occurring on the trip will be your responsibility, as these costs are included in the City's standard mileage rate reimbursement.

If you need local transportation at your destination, use of public transit such as buses, streetcars and subways is appropriate. You will be reimbursed for these expenses. You will be reimbursed for taxis when public transit or other common carriers are not reasonably available. If a car rental is required, you may use a cash advance or request reimbursement when you return.

When will you go? By what route?

You should schedule your trip so that you leave at the latest reasonable hour and still arrive at your destination on time. You should also return promptly when your business is finished, thereby minimizing the time away from work and ensuring full reimbursement of all related expenses.

You should generally take the most direct and commonly traveled routes. Other routes may be authorized when official business requires their use. If you take an indirect route or stop along the way for personal reasons, you will not be reimbursed for expenses not directly related to official business.

What about compensation for travel time?

When travel time exceeds your normal work week, the City's rules for overtime apply if you are eligible for overtime. In determining overtime compensation, normal commute time should be deducted from the total travel time. Additionally, normal unpaid meal periods are not considered work time when you are traveling. Overtime eligibility applies equally to drivers and passengers, and should be granted whether the travel occurs during normal workdays or on weekends or evenings. The employee's normal work schedule shall be adjusted during the travel time and attendance at conference, seminar or training session to minimize the amount of overtime. All overtime during travel time and/or attendance at a conference, seminar or training session must be pre-approved by the department director.

Where will you stay?

The City will pay for a single room (including taxes and parking) for as many nights as necessary. The accommodations you use should be economical but practical. For example, it is preferable to stay at the hotel where a conference is held, even if that hotel may be slightly more expensive than others in the area. Location is also important: a hotel close to where you will be conducting business may be slightly more expensive than outlying hotels, but it may be easier to achieve the City's travel goals by staying at the closer location. In general, you should stay at the most reasonably priced accommodations available consistent with the purpose and goals of your travel. If you have a question about using a particular hotel, obtain concurrence or direction from your department director before making a reservation.

Should you make reservations?

Whenever possible, you should make reservations. They are often required for large conferences. Be sure to cancel any reservations you will not use. If the City is charged for an unused reservation, you will pay that charge unless circumstances requiring cancellation were reasonably beyond your control.

When making lodging reservations, be sure to ask about government rates and exemptions from the local transient occupancy tax (TOT): some cities exempt travelers on City business, others don't. If there is an exemption, you can save up to 18% on lodging costs depending on the local TOT rate. Almost all lodging operators will require an official, written claim for exemption, and a sample for this purpose is provided in Exhibit A.

SUBMITTING CASH ADVANCE REQUESTS

A Purchase Requisition (PR) should be used to request vendor payments. An Expense Report should be used for cash advances or employee expense reimbursements. Department director approval of PR's and ER's is required. These documents should be submitted to your department director as far in advance as possible. Department directors approving PR's and ER's are responsible for determining that the cost is reasonable and justified by the trip's purpose. They should be certain that:

- The purpose cannot be accomplished by mail or telephone.

- The seminar, meeting, or conference is mandatory, reimbursable, or otherwise necessary to accomplish key City goals and objectives and is unavailable locally if overnight accommodations are required.
- The minimum number of City staff members are going.
- The itinerary ensures accomplishment of the purpose at the lowest reasonable cost.
- The traveler understands and follows these guidelines.
- There is enough money in the appropriate travel budget to cover the costs.

Requests for cash in advance and payments to vendors

The City will pay all legitimate expenses of your trip. These include transportation, lodging, registration fees, meals, and any other related expenses if they are for official business and fit within these guidelines.

There are two ways to pay for travel expenses: "direct vendor payment" and "cash advance". Direct vendor payments are made by the City to an organization to pay for specific costs related to a trip - usually registration fees, lodging, and airfare. Cash advances are lump sum payments made to you before you leave to cover expenses as they arise on the trip.

If you request a cash advance, your department director must review the amount to be sure it is reasonable. When you return, you must account for all expenses you incurred, and return the unused portion of the advance. You will be reimbursed the difference if the actual, authorized expenses you incurred exceed the amount advanced.

When requesting a cash advance, you must complete the appropriate section of the ER. Retain a copy of the completed ER because you will need it when you reconcile and account for your reimbursable expenses.

MAKING THE TRIP

There are two key "golden rules" to remember about making an official trip:

- Keep it official.
- Keep records for all reimbursable expenses.

Keeping it official

If you take time away from official business for personal matters, or if you delay your return after completing your business, you will not be reimbursed for expenses incurred during that time. When combining business and personal travel in this manner, department director approval is required. If this extended period occurs during your regular scheduled work hours, the time will be counted as leave (e.g. vacation, compensatory, administrative, float) time or leave without pay. If you become sick and must delay your return, you will be reimbursed for your additional living expenses (except those directly related to your illness, such as physician or hospital costs) until you are able to return home. You should notify your supervisor as soon as possible if you become ill. The time will be counted as sick leave if it occurs during your normally scheduled work hours, and the City's normal sick leave rules will apply.

Keeping records for all reimbursable expenses

As discussed below under "Accounting for Expenses", you must maintain a detailed record of all reimbursable expenses incurred during your travel: transportation, lodging, baggage handling, parking fees, registration fees, telephone, and any other reasonable and necessary expenses.

Meal allowances and incidental expenses, including beverages, taxes and gratuities.

All employees traveling are deemed to be on a "per diem" plan for purposes of submitting supporting documentation and receipts for any cash advance or per diem allowances. Therefore, receipts are not required for meals and incidental expenses (M&IE) reimbursed as a part of the per diem allowance.

The per diem allowance shall be the standard meal allowance for meals and incidental expense in effect for the area where the traveler stops for rest or sleep as outlined in the current U.S. General Services Administration (GSA) Per Diem Rate Schedule.

Because of reimbursement limitations by other agencies (such as P.O.S.T) or other budget constraints, department directors may implement specific meal allowances in amounts less than those outlined within the M&IE table. In calculating allowable meal expenses for partial days, the following guidelines should be used:

Departure

- If you depart after 8:00 a.m., deduct the breakfast allowance for that day.
- If you depart after 2:00 p.m., deduct the breakfast and lunch allowances for that day.
- If you depart after 8:00 p.m., deduct all meal allowances.

Return

- If you return after 8:00 p.m., you may claim the full per diem meal allowance for that day.
- If you return between 2:00 p.m. and 8:00 p.m., you may claim the breakfast and lunch allowances.
- If you return between 8:00 a.m. and 2:00 p.m., you may claim the breakfast allowance.

General

- If meals are provided without charge at a meeting or while in transit (meals served on a plane, for example), appropriate deductions must be made from the per diem meal allowance.

INCURRING NON-TRAVEL EXPENSES

The City will pay expenses incurred for such meetings and hospitality as may, from time to time, be determined by the Department Director to be appropriate. The City will also pay expenses you incur attending meetings or conferences held locally which do not include travel expenditures.

In addition, the City will reimburse you for costs incurred while at a meeting or other function when such costs are directly linked to the program or subject matter of the meeting. Examples of costs which may be borne by the City include printed materials, tapes, or other training material which may be available for sale at the meeting.

Alcoholic Beverages

City funds should not be used to purchase alcohol or reimburse employees for alcohol related costs. The City Manager may approve exceptions to this policy on a case-by-case basis.

Spouses and Guests

Spouses and guests are welcome to accompany you on City travel and at conferences, seminars, and meetings. However, any additional costs associated with the participation of your spouse or other guests are your responsibility.

ACCOUNTING FOR EXPENSES

When you return from your trip or official function, a final accounting of all expenses must be approved by your department director and submitted to Finance within twenty-one days. An expense report is required in all cases - whether your advance and actual expenses are equal, you are eligible for additional reimbursement, or you owe money to the City.

The final accounting is made by completing the "Expense Report" section of the ER. Only eligible expenses for which you are requesting reimbursement should be included. Listing direct payments to vendors is not required unless it affects your request for reimbursement (for example, reconciling any differences between an advance amount paid for lodgings and any final reimbursable costs in excess of this amount that you may have incurred upon check-out as well as deductions for any personal expenses that may have been charged to the hotel bill).

After completing the expense report, you should attach required receipts, sign the report attesting to its accuracy, and submit it to your department director for review and approval. If you owe the City for the unused balance of a cash advance, you should enclose (in check form, please) the amount due with the expense report. If the City owes you the reimbursement will be processed on the next check register.

Department directors approving expense reports are responsible for ensuring that:

- All expenses are reasonable, necessary, and consistent with these guidelines.
- Any required receipts are attached.

- The final disposition is correct (e.g., balance due employee; balance due City).
- Any amounts due to the City are reimbursed.
- Final accounting of all expenses is submitted to Finance.

Travel and Expense Reimbursement Policy effective May 16, 2006

OVERVIEW OF TRAVEL PROCEDURES

STEP 1 Travel Authorization

Who	What
Traveler	<ul style="list-style-type: none"> Consult with Department Director on the need for travel. Plan itinerary, transportation & lodging. Complete Expense Report for employee cash advance and/or Purchase Requisition for each direct vendor payment requested.
Department Director	<ul style="list-style-type: none"> Review ER and/or PR for conformance with City travel guidelines and department priorities. Verify that adequate funding exists in the appropriate travel budget to cover all costs. Approve ER and/or PR, provide a copy to the employee and submit to Finance for payment processing.
Finance Department	<ul style="list-style-type: none"> Make cash advance and vendor payments. File ER in employee's vendor file.

STEP 2 Expense Reporting

Who	What
Traveler	<ul style="list-style-type: none"> Complete and submit expense report section of the ER accounting for all reimbursable expenses to the Department Director within 5 working days after completion of travel. Attach required receipts. Sign report attesting to its accuracy. Attach check if a balance is due to the City.
Department Director	<ul style="list-style-type: none"> Review expense report for conformance with City travel guidelines. Verify accuracy of balances and disposition. Approve expense report, make a copy for departmental records, and submit to Finance.
Finance Department	<ul style="list-style-type: none"> File expense report in employee's vendor file and process any payment due to the employee if requested.

COMPLETING THE TRAVEL AUTHORIZATION

OVERVIEW

The Travel Authorization (TA) form should be prepared whenever the total estimated cost of travel is more than \$200 or overnight lodging is required. The TA is a two-sided form: the front side provides for approval of the travel, summarizes the cost, and provides documentation for any cash advance to the employee and direct payments to vendors; the reverse side is for reporting actual reimbursable expenses within 5 days after travel is completed and reconciling this final amount to the cash advance.

Completing the form itself is largely self-explanatory, and a completed sample is provided for your information. The following highlights key areas of the TA form:

TRAVEL AUTHORIZATION—SIDE 1

The front side of the TA is organized into five major sections:

- **General Information.** Identifies who is going, where the meeting or conference will be held, how long the employee will be gone, how much it will cost, and the account number that should be charged.
- **Purpose.** Describes the reason for the trip.
- **Cost and Payment Summary.** Outlines the estimated cost of the trip by expense type (registration, transportation, lodging; spaces are provided to add categories not pre-listed), vendors to whom payment will be made (including cash advances to the employee), method of payment (voucher, purchase order, credit card), and amount. A summary is then provided of the payments to be made to the employee, vendors, or by credit card. Appropriate vouchers, purchase orders, or credit card requests should be attached to the TA when it is submitted to Finance for processing.
- **Itinerary.** Summarizes when and where the employee will be traveling.

- **Approvals.** Provides a signature box for the employee and approval by the Department Head. Out-of-state travel requires the further approval of the City Manager.

EXPENSE REPORT—SIDE 2

For reporting actual expenses upon completion of travel and reconciling this amount to any cash advance received, the reverse side of the TA is organized into 4 major sections:

- **Reimbursable Expense Detail.** Itemizes actual expenses by type for each day of your trip (spaces are provided for dates and expense categories not pre-listed). Only expenses reimbursable to you should be listed - payments made directly to vendors should not be included.
- **Mileage Detail—Personal Vehicle.** Summarizes miles and cost if you were authorized to use a personal vehicle for the trip.
- **Travel Expense Summary.** Totals the cost of the trip for personal expenses (reimbursable expense detail plus any personal vehicle costs) and reconciles the total cost of the trip with any cash advance received, resulting in either a balance due to the employee or due to the City. This expense report must be completed and submitted to Finance even if the cash advance and actual reimbursable expenses are equal.
- **Approvals.** Provides a signature box for the employee and approval by the Department Director. Any requests for reimbursement in excess of per diem meal allowances requires the further approval of the Director of Finance and/or City Manager.

City of Costa Mesa

TRAVEL AUTHORIZATION

This form should be completed in legible handwriting

Employee	Department	Position

Destination	No. of Days	Account No.	Amount
			\$0.00

PURPOSE

COST SUMMARY

Description	Vendor	Payment Method	Amount
Registration			
Air fare			
Lodging			
Meals			
Mileage - personal vehicle			
Gasoline - city vehicle			
Rental car			
TOTAL			\$0.00

PAYMENT SUMMARY

Cash Advance to Employee	
Direct Vendor Payments	
Credit Card	
TOTAL	\$0.00

ITINERARY

Departure	Date/Time	Arrival	Date/Time

Employee	Date	Department Head	Date

Use the reverse side of this form for reporting actual expenses within 5 working days after your return.

Travel Authorization

EXPENSE REPORT AND RECONCILIATION TO CASH ADVANCE

This form should be completed in legible handwriting

REIMBURSABLE EXPENSE DETAIL

Description	Date						TOTAL
Registration							0.00
Air fare							0.00
Lodging							0.00
Breakfast							0.00
Lunch							0.00
Dinner							0.00
Gasoline							0.00
Rental car							0.00
							0.00
							0.00
							0.00
TOTAL							0.00

Receipts must be attached for all reimburseable expenses

MILEAGE DETAIL - PERSONAL VEHICLE

Departure/Destination	Odometer Readings		Trip Miles
	Starting Mileage	Ending Mileage	
			0
			0
			0
			0
Total miles - personal vehicle			0
Reimbursement @ _____ per mile			0.00

Standard mileage tables provided in the City's travel guidelines may be used in lieu of odometer readings

By signing this expense report, the employee certifies that the amounts listed were incurred in conformance with the City's travel guidelines and that no part is claimed for reimbursement of a personal nature.

REIMBURSABLE TRAVEL EXPENSE SUMMARY

Total reimbursable travel expense	0.00
Cash advanced	
() Amount due employee	
() Amount due City	

Approval/ Authorized Signatures

Employee	Date	Department Director	Date



City of Costa Mesa

77 Fair Drive, Costa Mesa, CA 92628-1200

CLAIM FOR EXEMPTION FROM TRANSIENT OCCUPANCY TAX

The undersigned claims exemption from paying city transient tax charged for the period from _____ through _____. The undersigned claims this exemption for _____, who is on official business as an employee of the City of Costa Mesa.

NOTE: *Operators of hotels should not accept this application unless the person presenting it shows satisfactory identification. A separate application is required for each occupancy period.*

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct:

[Signature of Authorizing Official]

Department Director

Date

MONTHLY EXPENSE REIMBURSEMENT

I. PURPOSE:

The purpose of this regulation is to provide for monthly reimbursement of out-of-pocket expenses incurred by City employees while conducting official City business.

II. POLICY:

- A. City employees will be reimbursed for their out-of-pocket expenses incurred while conducting official City business.
- B. All conferences and meetings not involving an over-night stay and/or cash advance will be reimbursed in accordance with this Administrative Regulation.
- C. City employees who do not receive a monthly car allowance will be reimbursed for the use of their private vehicle while conducting City business, at a flat rate of twenty-seven and one-half (27.5) cents per mile.
- D. All other expenses not related to conferences, meetings and/or use of a private vehicle will be reimbursed by means of the petty cash fund.
- E. Original receipts for meals are required; however, the employee need not submit receipts for meal expenditures totaling \$25.00 or less for a one-month period.

III. REIMBURSEMENT:


- A. To be reimbursed for monthly expenses, an employee must sign his expense claim, obtain Department Head and Finance Director approval, except when the claim is \$50 or less. Claims of \$50 or less only require Department Head approval. No reimbursement shall be made until the expense claim has been properly executed and approved. All monthly claims for expense reimbursement must be submitted to the Finance Department on Form CMF0028-22, "Claim for Expense Reimbursement," within twenty-one (21) days after the end of each calendar month.

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A.R. 3.11 (Revised)
Section 1-4
Page 2 of 2
January 1, 1991

B. Expenditures totaling \$50.00 or less shall be reimbursed from the City petty cash fund. Expenditures totaling more than \$50.00 shall be reimbursed by means of a City warrant.

IV. The effective date of this Administrative Regulation is January 1, 1991.


ALLAN L. ROEDER
CITY MANAGER

PETTY CASH

I. Purpose

The purpose of this regulation is to establish an administrative policy for purchases made which are eligible to be reimbursed from petty cash.

II. Policy

It is the policy of the City of Costa Mesa to allow employees to make certain allowable purchases on behalf of the City, and be reimbursed from the City's petty cash fund.

III. Procedure

- A. The maximum petty cash payout on any one (1) transaction is \$50.00.
- B. All requests for reimbursement must be approved by an authorized signatory of the Department as approved by the Department Head. Listings of the authorized signatures are on file in the Finance Department.
- C. Allowable types of petty cash expenses:
 - 1. Miscellaneous office or field supplies (if not readily available in the warehouse).
 - 2. Monthly Claim for Expense Reimbursement (Form No. 0028-22) totalling less than \$50.00. Monthly claims greater than \$50.00 should be submitted through the normal accounts payable process.
- D. Unallowable types of petty cash expenses:
 - 1. Professional membership dues authorized by adopted budget.
 - 2. Business meals involving only City personnel without specific approval by the Department Head.
- E. Responsibility for accuracy and adequacy of the supporting documentation will be with the individual who approves the petty cash claim for reimbursement.

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 3.12
Section 1-4
October 1, 1991
Page 2 of 2

- F. Claims for reimbursement may be submitted to the Treasury Management Division of the Finance Department for reimbursement Monday through Friday from 2:00 p.m. to 4:00 p.m.

IV. Effective Date

The effective date of this Administrative Regulation is October 1, 1991.



ALLAN L. ROEDER
CITY MANAGER

**ADMINISTRATIVE REGULATION
CITY OF COSTA MESA**

A. R. 3.13
Section 1 - 4
January 4, 1999
Page 1 of 3

PROCUREMENT CARD PROGRAM

I. Purpose:

The purpose of this regulation is to establish a written policy on the use of Procurement Cards by City employees.

II. Objectives:

The objectives of the Procurement Card Program are as follows:

- A. To provide for faster delivery service of low dollar items to City departments;
- B. To consolidate multiple weekly warrants to participating vendors on low dollar purchases, select miscellaneous purchases, and agreements/contracts into one monthly payment;
- C. To reduce paper and postage expense for mailed warrants by consolidating vendor payments;
- D. To provide a tool to Purchasing staff to review procurement card statements for repetitive purchases and consolidate into new price agreements and contracts with volume discount prices.

III. Policy:

Unless otherwise designated by the City Manager, the Finance Department would be the administrator of the Procurement Card Program and responsible for the following:

- A. Meet with Department Heads to decide who would receive a Procurement Card. Each card would be in the individual cardholder's name;
- B. Establish flexible Procurement Card limits and authorized categories of purchases for each card;
- C. Establish Procurement Card Cardholder Procedures.

**ADMINISTRATIVE REGULATION
CITY OF COSTA MESA**

A. R. 3.13
Section 1 - 4
January 4, 1999
Page 2 of 3

IV. Definitions:

- A. "Procurement Card Bank" is the bank card contractor who will issue the Procurement Card to the City of Costa Mesa.
- B. "Cardholder" is a City employee who is issued a City of Costa Mesa Procurement Card.
- C. "Approving Official" is a City department manager or supervisor who is responsible for reviewing the Cardholder's charges on the Procurement Card and ensuring that the purchases are appropriate and within budget constraints, and proper documentation is included.

V. Procedure:

The Cardholder shall be responsible for the following:

- A. Complying with the Procurement Card Cardholder Procedures located in Appendix B of the "Purchasing Policies and Procedure Manual."
- B. Ensuring that the bank card is used appropriately and that all purchases are within approved dollar limits and categories and are in compliance with the City of Costa Mesa's "Purchasing Policies and Procedures Manual."
- C. Ensuring the security of the Procurement Card while in his/her possession. If lost or stolen, the Cardholder shall immediately notify the Procurement Card bank, The Approving Official, and the Purchasing office of the Finance Department.
- D. Understanding that improper use of the Procurement Card shall result in disciplinary action, and where theft of the card is suspected, the Cardholder shall refer the matter to the pertinent law enforcement agency for investigation and possible prosecution. The City of Costa Mesa has the option to terminate the Cardholder's right to use the Procurement Card at any time and for any reason. The Cardholder shall agree to return the Procurement Card to the City of Costa Mesa immediately upon request or upon separation of employment.

ADMINISTRATIVE REGULATION

CITY OF COSTA MESA

A. R. 3.13

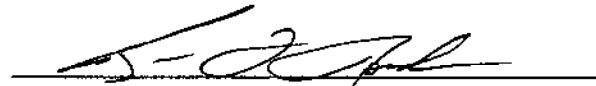
Section 1 - 4

January 4, 1999

Page 3 of 3

VI. Effective Date:

The effective date of this Administrative Regulation is January 4, 1999.

A handwritten signature in black ink, appearing to read "Allan L. Roeder", is written over a horizontal line.

Allan L. Roeder
City Manager

CHARITABLE CONTRIBUTION OF \$250 OR MORE

I. PURPOSE:

The purpose of this Regulation is to establish a policy of providing a written acknowledgement to the donor organization for charitable contributions in the amount of \$250 or more in accordance with sub-section 1061 of the Internal Revenue Code.

II. POLICY:

It is the policy of the City of Costa Mesa to provide a contemporaneous written acknowledgement to the donor organization for charitable contributions in the amount of \$250 or more in order to provide the donor with proper substantiation for income tax filing purposes.

III. PROCEDURE

A gift receipt/acknowledgement shall be provided to the donor for each separate gift of \$250 or more by the department receiving the donation from the donor. The gift receipt/acknowledgement may be in letter form and must include the following information:

- A. The amount of cash and a description, but not the value of any property other than cash contributed.
- B. Whether the organization provided any goods or services in consideration, in whole or part, for any property contributed.
- C. A description and good faith estimate of the value of any goods or services provided to the donor.

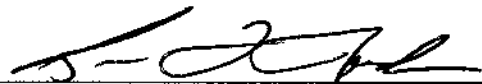
This regulation applies to separate gifts of \$250 or more, not to a combined total of \$250 from a donor in one year. Written acknowledgements may be provided for individual gifts of less than \$250.

**ADMINISTRATIVE REGULATION
CITY OF COSTA MESA**

**A. R. 3.14
Section 1 - 4
September 15, 1999
Page 2 of 2**

It is the donor's obligation to determine the tax deductibility of the donated property as a charitable contribution. No department should advise a prospective donor as to whether or not specific charitable contributions are deductible for tax purposes.

IV. The effective date of this Administrative Regulation is September 15, 1999.



Allan L. Roeder
City Manager

PAYROLL DIRECT DEPOSIT PROGRAM

I. Purpose:

The purpose of this regulation is to establish a uniform procedure whereby an employee must enroll in payroll direct deposit upon employment with the City.

II. Policy:

As condition of employment, all new employees hired on or after February 1, 2003 will be required to enroll in payroll direct deposit. Current part-time employees and executive employees are also required to enroll in direct deposit. All represented employees are exempt unless such an employee leaves employment with the City and is subsequently rehired.

Upon separation, the employee will be paid with a physical paycheck. The paycheck will be held in the Personnel Division until the employee has completed an exit interview with the Personnel Division in accordance with the "Separation of Employees" Administrative Regulation 2.2.

III. Procedure:

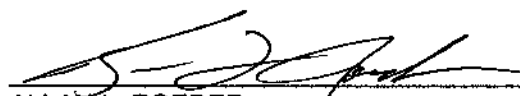
- A. New employees must sign up for direct deposit by completing and submitting the direct deposit enrollment form and a voided check to the Personnel Division.
- B. If an employee does not have a bank account, the employee can open an account with the Costa Mesa Federal Credit Union. The Credit Union has agreed to provide bank accounts to employees as needed.
- C. Paychecks will be electronically paid to an employee's bank account through direct deposit and will commence on the second payroll after enrollment.
- D. Upon separation and after the Personnel Division has completed an exit interview with the employee, the Personnel Division will release the final paycheck to the employee (see A.R. 2.2)

IV. Effective Date:

The effective date of this Administrative Regulation is February 1, 2003 and as subsequently revised on May 1, 2003.



MARC R. PUCKETT
DIRECTOR OF FINANCE



ALLAN L. ROEDER
CITY MANAGER

EMPLOYEE PAYROLL WITHHOLDING ALLOWANCE

I. **Purpose:**

The purpose of this regulation is to establish an administrative policy for processing requests from employees to withhold the correct federal and state income tax from their pay.

II. **Policy:**

Every employee must furnish a signed federal withholding exemption certificate (Form W-4) and state Form DE4 on or before the date of employment.

The Form W-4 must be completed in accordance with the applicable Internal Revenue Code Sections and the state Form DE4 must be completed in accordance with the applicable state income tax code.

Employees are permitted to amend their Form W-4 or DE4 once per calendar year quarter.

Upon separation with the City, the employee will be permitted one last withholding adjustment.

III. **Procedure:**


- A. Upon receipt of a completed and signed IRS Form W-4 or State Form DE4, Payroll shall adjust the withholding allowances in the payroll system and will commence in conjunction with the normal payroll process and cycle.
- B. The employee will be notified if a Form W-4 or DE4 is invalid and asked for another one. If the employee does not provide a valid one, the City will withhold taxes as if the employee were single and claiming no withholding allowances. However, if a prior Form W-4 or DE4 is in effect with respect to the employee, the City will continue to withhold in accordance with the prior form.

IV. **Effective Date:**

The effective date of this Administrative Regulation is February 1, 2003.



MARC R. PUCKETT
DIRECTOR OF FINANCE



ALLAN L. ROEDER
CITY MANAGER

**CITY POLICY REGARDING REPLACEMENT OF POLICE DEPARTMENT PATROL
VEHICLES**

I. Purpose:

To declare a policy for the acquisition and replacement of police patrol units. It is the intention of this policy direction that the ASD-Telcom, Public Services Department-Vehicle Maintenance Division and the Police Department work together in a cooperative manner to achieve the direction described in this policy. With the signature of the City Manager below this direction becomes City policy and all departments and units are directed to follow it until or unless it is revised or rescinded by written action of the City Manager.

II. Procedure:

A. "Front line" patrol care replacement: Front line patrol cars are those police patrol units which are assigned to primary uniformed policy duties and are subject to frequent emergency response duty as well as police pursuit duty. Such vehicles shall be physically inspected and reviewed by a Committee of Public Services, Police and Telcom personnel, as selected by the respective Department Managers, at 70,000 miles. The Committee shall review the vehicles maintenance log/history, the potential for, significant near-term expenditure (i.e., transmission is about to need replacement), and its suitability in appearance and ergonomics.

1. The Committee shall make a unanimous decision regarding the vehicle's suitability for future front line use. Absent a unanimous decision, the respective Department Managers shall meet to make a final determination.
 - a) If it is determined that the vehicle is not suitable for continued service as a "front line" patrol vehicle, it shall be scheduled for removal from service pending availability of a replacement vehicle within a reasonable amount of time. At the time of removal from service, a decision will be made to either reassign the vehicle as a replacement for an existing "older" secondary-use City vehicle with the Police Department or within the remaining City fleet, or to declare the unit surplus for removal from the City stock. The net result will be to surplus one vehicle from the City fleet.
 - b) If the decision is made to continue use of the vehicle, it will be rehabilitated as needed for that planned use (i.e., front line patrol car, City motor pool, etc.) Such rehabilitation may be mechanical, electronic, visual or ergonomic.

2. Any member of the Committee may call for a meeting of the Committee to review the history/maintenance log of any "front line" patrol vehicle, regardless of mileage, if he or she believes that the unit is unfit for its intended use. The Committee will then follow the same procedures as listed in Section 1 above to determine the suitability/disposition of the unit for further service.
3. Vehicles determined to be suitable for continued "front line" patrol service, and after completion of any rehabilitation service as mentioned in Item 1b above, shall be returned to patrol duty and operated until the unit reaches 80,000 miles, at which time it shall be programmed for replacement.
 - a) There is no expectation that vehicles reaching 80,000 miles will be removed immediately from service. They shall continue in service until their budgeted replacement is ready to become operational.

It is generally acknowledged that the maximum resale market value for used City vehicles is achieved when the units are surplused, or otherwise taken out of service and sold before reaching 100,000 miles.

III. Effective Date:

The effective date of this Administrative Regulation is October 9, 2006.


CITY MANAGER

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 4.0
Section 1-3
October 30, 1989

RESTRICTIONS ON PERSONAL USE OF
CITY OF COSTA MESA-PROVIDED VEHICLES

I. Purpose:

The purpose of this regulation is to establish a written policy on the use of employer-provided vehicles.

II. Policy:

It is the policy of the City of Costa Mesa that any City employee who is furnished a vehicle by the City is not allowed to use the vehicle for personal purposes other than commuting from his/her home to the work place and for related "de minimis" personal use. "De minimis" personal use is illustrated by the example of an employee stopping off at a convenience store on his or her regular commute route.

III. The effective date of this Administrative Regulation is October 30, 1989.



ALLAN L. ROEDER
CITY MANAGER

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 4.1
Section 1-3
November 22, 1977

COMPLAINT CHECKLIST

I. Purpose:

The purpose of this regulation is to establish a standard procedure for employees to use in requesting criminal complaints from the City Attorney's Office for city-prosecutable code violations. It is intended to cover all departments that may request such complaints and should help expedite the processing of them.

II. Procedure

Each employee who is involved in the enforcement of our Municipal Code shall fill out a Complaint Checklist and deliver it to the City Attorney's Office for evaluation. A copy of the Complaint Checklist should be made by the employee and kept for his or her records. Once the Complaint Checklist has been evaluated by the attorney involved, further input may be required from the employee depending upon whether a criminal complaint was filed.

III. Effective Date

The effective date of this Administrative Regulation is December 1, 1977.


FRED SORSABAL
CITY MANAGER

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 5.1
Section 1-3
December 3, 1968

TOURS OF CIVIC CENTER AND FACILITIES

I. Purpose:

The purpose of this regulation is to establish an administrative regulation concerning tours of the Civic Center and other City facilities.

II. Procedure:

Any inquiries concerning tours of the City Hall shall be directed to the City Clerk's office who, in turn, will schedule all tours and make arrangements for guides through the City Hall. All inquiries regarding the Police Facility shall be referred to the Jail Sergeant or the Training Sergeant. All inquiries concerning tours of the fire fighting facilities shall be referred to the Fire Chief's office.

III. Effective Date:

The effective date of this Administrative Regulation is January 1, 1969.


A. R. MCKENZIE
CITY MANAGER

CHANGES OR ALTERATIONS TO BUILDINGS

I. Purpose:

The purpose of this regulation is to establish a procedure whereby proposed changes or alterations to City buildings may be handled. No changes, alterations or modifications will be made unless this procedure is followed.

II. Procedure:

- A. Contact in writing shall be made with Facilities and Equipment Department to see if the alteration can be made.
- B. Secure cost estimates through the Finance Department-Purchasing Division for the alteration. This should include:
 - 1. Cost of outside contractor (if our Facilities and Equipment Department cannot handle the move).
 - 2. Cost of moving telephones, electrical, etc.
- C. Check with the Finance Department to see if funds are available and what fund number should be used.
- D. Present entire proposal to City Manager's Office for final approval.
- E. After approval, have work completed.

III. Effective Date:

The effective date of this Administrative Regulation is April 15, 1969.


A. R. MCKENZIE
CITY MANAGER

USE OF TELEPHONE AND/OR CELL PHONES FOR PERSONAL BUSINESS

I. Purpose:

The purpose of this regulation is to establish criteria for the use of the City's telephones and cell phones for personal business.

II. Procedure:

The business phones in City facilities are for official use only.

Each Department will determine the need for cell phones for business purposes. When the need is determined, the Division Manager will send a written request to the Telecommunications Manager. Hands free equipment will be provided to employees using city vehicles as part of their job assignment. A cell phone will be issued and account information forwarded to Finance by the Telecommunications Division.

V. Guidelines:

If an employee finds it necessary to make a personal call outside of the toll-free area, he/she should:

1. Use the pay telephones located within City facilities, or
2. Make such telephone calls collect.

City provided cell phones should only be used for personal business when absolutely necessary. Employees are strongly discouraged from using City provided cell phones for personal business. If the charges are above the allotted minutes for the City Usage Plan level, the additional minute rate will be used to calculate the reimbursement amount to the City.

The Telecommunications Division will provide minimal oversight, and any unusual occurrences will be noted to the Department Director. However, Departments are responsible for the oversight of cell phone usage within their divisions and shall monitor and review such usage to ensure appropriate and prudent fiscal management.

VI. Effective Date:

The effective date of this Administrative Regulation is May 15, 1969, and subsequently revised July 30, 2000, and subsequently revised April 21, 2004.


CITY MANAGER


ADMINISTRATIVE SERVICES DIRECTOR

EMPLOYEE ORGANIZATION MEETINGS

I. Purpose:

The purpose of this regulation is to establish a policy whereby City employee associations may use City facilities for the purpose of holding employee organization meetings.

II. Policy:

Access to City work locations and the use of City paid time, facilities, equipment and other resources by employee organizations and those representing them shall be authorized only to the extent provided for in the Memoranda of Understanding approved by the City Council.

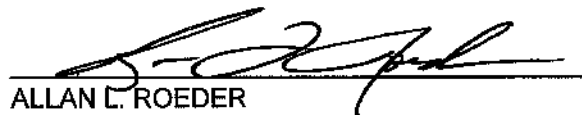
Access will be limited to lawful activities consistent with the provisions of the City's Employer-Employee Resolution (EER) that pertain directly to the employer-employee relationship and not internal employee organization business as soliciting membership, campaigning for office, and organization meetings and election (except where the City Manager finds that it is not reasonably possible for a Recognized Employee Organization to conduct an organizational meeting at a time when a significant number of affected employees are not scheduled to be on duty).

In no event shall such activities be permitted to interfere with the efficiency, safety and security of City operations.

III. Effective Date:

The effective date of this Administrative Regulation is December 10, 1970 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN C. ROEDER
CITY MANAGER

VEHICLE USE POLICY

I. Purpose:

The purpose of this regulation is to establish and implement City policies and procedures relative to the assignment, utilization and control of City-owned vehicles as transportation for employees while engaged in official City business, to establish reimbursement procedures for privately-owned vehicles used for City business and to clarify the City's responsibility for damage and/or liability for private vehicles used on official City business.

II. Policy:

These regulations cover the use of City and private vehicles for conducting official City business and shall be applicable to all elected officials and employees of the City.

III. Procedure:

When necessary during the course of an employee's official duties, transportation or reimbursement therefore shall be provided by the City.

In the event no City vehicle is available, the employee may use his/her personal vehicle. Employees using either their own or a City-owned vehicle on official business must possess a valid California driver's license for the class of vehicle they will be operating. The transportation method utilized will be mutually agreeable to the employee and department. It is the responsibility of each Department Director to enforce the provisions of this regulation as it relates to the employees of his/her department.

City-owned vehicles shall only be used for official City business. City-owned vehicles shall not be driven to and kept at the employee's home or any location other than the regular work location or Corporation Yard, except as provided by this regulation.

City employees cannot be compelled to use their own vehicle for City business unless it is a pre-specified condition/requirement of employment.

A. Assigned Vehicles

1. Assigned City vehicles may be taken home by Department Directors and Division Managers as approved by the City Manager.
2. City vehicles may also be taken home by those employees who are called back on an unscheduled basis to perform official City business outside of regular working hours upon approval by the City Manager.

B. Emergency Response Units

1. Employees who are required to respond without delay in order to protect the public health, safety and property may take City vehicles home upon approval by the City Manager.

C. Pool Vehicles

1. Pool vehicles will be available for employees who require transportation to perform official City business but do not meet the criteria for a permanently assigned City vehicle.

D. Reimbursement for Use of Personal Vehicles

1. **Executive Use**

All Department Directors may, at City Manager discretion, receive the monthly automobile allowance as established.

2. **Mileage Reimbursement**

- a. Employees may use their own vehicles on official City business and shall be reimbursed at the established rate for mileage drive on official City business.
- b. Employees shall not be reimbursed for commuting to and from work, except that employees who are required to attend scheduled meetings outside of normal working hours may be reimbursed for mileage required.

E. Vehicle Assignment Review

During the month of December of each year, departments that have assigned City-owned vehicles to employees shall review such assignments. A report of these assignments will be prepared containing the following information:

Department and Division employee name and classification; employee address and telephone number; justification for assignment; justification for driving vehicle home (if applicable); average monthly business mileage; average monthly personal mileage (includes mileage to and from home); radio equipped (yes or no); special emergency equipment.

F. Insurance Requirements

All privately owned vehicles to be used on official City business shall be insured by the individual employee. The employee's insurance coverage is deemed to be primary. It shall be the Department Director's responsibility to insure that no privately owned vehicle is operated on City business without insurance coverage and a valid operator's license as required by this regulation.

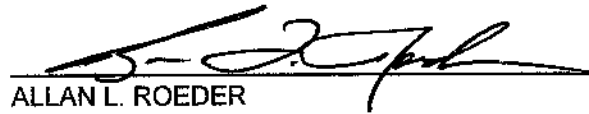
G. Clarification on City Liability

The City shall be responsible to such employee only when the employee is determined not to be negligent and the other party is uninsured. Under such circumstances, the City shall be responsible to the employee for the amount of the deductible for comprehensive and/or collision damages suffered by the employee.

IV. Effective Date:

The effective date of the Administrative Regulation is July 1, 1984 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

USE OF CITY EMPLOYEES AND PROPERTY

I. Purpose:

The purpose of this regulation is to establish a policy relative to the assignment, use and control of City employees and property. This regulation shall be applicable to all City departments and volunteers.

II. Policy:

City shops and all tools, equipment, or property assigned to any department of the City are not to be used for the personal benefit of any employee. City employees are not to be directed or allowed to work on any assignment during their working hours other than for official City business.

Personal vehicles of employees will not be taken into the City shops or facilities for inspection, repair or servicing, nor shall any City supplies, materials, services or property be employed for any non-City purpose. City facilities, motor equipment, tools, material and employees are not to be loaned to any other company, organization or individual except by expressed authorization of the department head and City Manager.

It is the responsibility of each department head to enforce the provisions of this regulations it relates to the employees of his department.

II. Effective Date:

The effective date of this Administrative Regulation is July 1, 1994.



Allan L. Roeder
City Manager

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 5.7
Section 1-4

January 8, 1981

I. Purpose:

The purpose of this regulation is to insure that all Capital Improvement Projects and/or alterations to municipal facilities are constructed in compliance with the adopted Uniform Building Code and other Health and Safety provisions.

II. Policy:

It is the obligation of the City to provide for the adequate design and construction of all civic facilities. This policy shall apply to all Capital Improvement Projects involving the construction or remodeling of public facilities. It is also the intent of this policy to require the inspection of those projects which are considered maintenance activities when the work to be undertaken is performed by a non-specialist. This policy shall apply to all such projects whether performed by outside contract or force account labor.

III. Procedure:

- A. All Plans and Specifications for the construction or remodeling of civic facilities shall be submitted to the Building Safety Division for plan checking. Approval of the final plans must be obtained prior to advertising for bids.
- B. Building Permits shall be required for all new construction as well as for remodel and maintenance work, where applicable. No fees shall be collected for the issuance of permits for City projects. The project manager shall be responsible for pulling all required permits.
- C. All Building Permits, as-built plans and specifications shall be placed on file with the Building Safety Division at the conclusion of the project.

IV. Effective Date:

The effective date of this Administrative Regulation is January 15, 1981.


FRED SORSABAL
CITY MANAGER

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 5.8

Section 1-4

April 1, 1985 Rev.
Page 1 of 2

EMPLOYEE SMOKING POLICY

I. Purpose:

The purpose of this regulation is to establish a uniform policy limiting the areas within various City facilities where smoking by employees is allowed.

II. Policy:

Smoking is recognized as a danger to health and as an annoyance, inconvenience, discomfort and health hazard to those who choose not to smoke. In adopting this Administrative Regulation, it is the City's intent to provide a healthful work environment for those employees who do not smoke while at the same time providing reasonable accommodations for those individuals who do. For purposes of clarification, "smoking" shall include any lighted cigarette, cigar or pipe.

III. Procedure:

Smoking by employees shall be limited at the following facilities to the areas defined below.

A. City Hall

1. First Floor Lobby and Lounge Area
2. Fourth Floor Lounge
3. "Open air" areas adjacent to smoke towers
4. Private offices having floor-to-ceiling walls with doors that may be closed

B. Communications Center

1. Employee Lounge (when the exhaust fan is in operation)

C. Police Facility

1. Private offices having floor-to-ceiling walls with doors that may be closed
2. Work stations not in direct contact with the public with the exception of the Records work area

ADMINISTRATIVE REGULATION
CITY OF COSTA MESA

A. R. 5.8
Section 1-4
April 1, 1985 Rev.
Page 2 of 2

D. Corporation Yard/Golf Course Maintenance Yard/TeWinkle
Maintenance Facility/All Fire Stations

1. Smoking shall be limited to those areas so designated.

Smoking will not be permitted in any other area other than those specified above including, but not limited to, restrooms, public counter areas, conference rooms and elevators. Failure to comply with the provisions of this Administrative Regulation may result in disciplinary action in accordance with the adopted Personnel Rules and Regulations.

IV. Effective Date:

The effective date of this Administrative Regulation is April 1, 1985.



FRED SORSABAL
CITY MANAGER

LOWERING OF FLAGS TO HALF-STAFF

I. Purpose:

The purpose of this regulation is to establish and implement procedures for lowering the Federal and California flags to half-staff in accordance with Federal and State guidelines.

II. Policy:

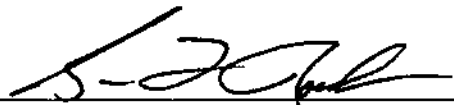
The Federal and California flags shall be lowered to half-staff as directed by any of the following government entities: The President or the Congress of the United States of America, the Governor of California, or the Board of Supervisors of the County of Orange.

III. Procedures:

- A. Upon formal notification by an authorized representative of the above government entities, the City Manager shall direct that the flags at all City facilities be lowered to half-staff for the period of time specified by such government entity.
- B. Each Department responsible for the raising of flags at specific facilities shall be responsible for compliance with this Administrative Regulation.

IV. Effective Date:

The effective date of this Administration Regulation is May 20, 1993.


ALLAN L. ROEDER, CITY MANAGER

LOWERING OF FLAGS TO HALF-STAFF

I. Purpose:

The purpose of this regulation is to establish and implement procedures for lowering the Federal and California flags to half-staff in accordance with Federal and State guidelines.

II. Policy:

The Federal and California flags shall be lowered to half-staff as directed by any of the following government entities: The President or the Congress of the United States of America, the Governor of California, or the Board of Supervisors of the County of Orange.

III. Procedures:

- A. Upon formal notification by an authorized representative of the above government entities, the City Manager shall direct that the flags at all City facilities be lowered to half-staff for the period of time specified by such government entity.
- B. Each Department responsible for the raising of flags at specific facilities shall be responsible for compliance with this Administrative Regulation.

IV. Effective Date:

The effective date of this Administration Regulation is May 20, 1993.


ALLAN L. ROEDER, CITY MANAGER

PERSONAL COMPUTER POLICY

I. PURPOSE

The purpose of this policy is to provide the employees of the City of Costa Mesa with an outline governing personal computer equipment and software usage. These policies and procedures have been developed to ensure the most prudent use of City computer resources, compatibility, and the continued integrity of the information systems. The intent of this policy is to outline the support and usage of personal computers (PC's).

II. POLICY

- A. The policy described in this document applies to all computing systems owned or managed by the City of Costa Mesa, whether the computer is a stand-alone system, or operates within a network. ***Note that systems under the control of the Police Department, including those systems used by the Fire Department as part of the Public Safety System, have different restrictions and regulations. Please see City of Costa Mesa, Public Safety Computer Policy for specific details.*** Users of the City's computer equipment are expected to understand these policies and abide by them. Questions regarding this policy can be directed to the M.I.S. Division, M.I.S. Manager at extension 5154, or the Computer Operations Supervisor at extension 5620.
- B. It is the general policy of the City of Costa Mesa that use of City computer equipment; electronic facilities and electronic data are limited to ***Official City Purposes*** only. All users of the City's computing resources are expected to operate City owned equipment in a responsible, ethical, and legal manner. In general, appropriate use means respecting the rights of other computer users, the integrity of the physical facilities, and all pertinent license and contractual agreements. "Surfing" is not an acceptable use, and may result in the loss of access or other action as deemed necessary by M.I.S. and the Department Management. For purposes of this Policy, "surfing" shall be defined as access to the Internet for personal use. A "site log" software will be installed on City Systems used to access the internet. Such logs may be periodically checked by MIS, supervisors and other management level personnel.
- C. The Electronic mail (e-mail) system may not be used to solicit or persuade others for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations. E-mail and information systems of the City are not to be used in a way that may be disruptive, offensive to others, or harmful to morale. For example, the City prohibits the display, transmission or sending/receiving of sexually explicit images, messages, or cartoons, or any e-mail containing obscene material, or ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, national origin, color, sex, sexual orientation, age, disability, religious or political beliefs.
- D.* Technology in the computer and e-mail industry changes rapidly and references to named suppliers in this policy are subject to change without prior notice and/or modification to the policy. It is understood this policy will continue in full force and effect even if there are future additions and/or deletions to the named suppliers in this policy, if those suppliers are providing the same or similar services.

- E The following Procedures apply to the use of e-mail, Internet Services Providers (ISP) and other electronic media by City employees. Failure to adhere to the provisions of this policy may lead to disciplinary action, up to and including termination.

III. Procedure

A. Standard Software Configuration Workstation

A standard software configuration workstation is defined as the set of hardware and software components required to support City business activities and other hardware and software components that have been tested and approved for use in the client/server environment. The M.I.S. Manager maintains a list of approved software. All questions regarding this list are to be directed to the M.I.S. Manager.

B. Software Installation

The City is concerned that unauthorized changes to a software workstation configuration would likely result in a failure of the workstation to perform as expected. Users are not to modify their software workstation configuration in any way.

The City understands that users may have a need to add or modify software workstation configurations from time to time in order to meet business objectives. It is M.I.S.' objective to understand how new packages may affect the client/server environment prior to installing them. M.I.S. will support users in testing new software packages through the approach outlined below.

1. M.I.S. is responsible for all software installation(s). Software shall not be installed on or copied to any City computer without prior written approval. If additional software is needed, (other than the officially approved), a written request (memo) must be made at the Division Manager level justifying the particular software application, its usage, and cost. The Department Director must then approve the requested changes. This request will then be forwarded to the M.I.S. Manager for review and approval. Once M.I.S. has tested and documented the non-standard package, and it is certified to be free of viruses, M.I.S. will install and support the software on the workstation(s), as requested.
2. Personally owned software will not be installed on a City owned or operated PC without prior authorization and software testing by M.I.S., as discussed above. Additionally the original software license must be turned over to the City for storage in a secure location. The purpose of this requirement is to allow the City to show proper licensing in the event of an audit. The license will be returned to the rightful owner when the software is removed from the City owned computer.

C. Unauthorized Software Installation

Any personal software that is found to be loaded into any City owned computer without prior approval will be removed immediately.

Only preloaded (manufacturer preloaded) screen savers are to be used. Screen savers that give you the option to enter text must contain language appropriate with the standards of this organization, that is, personal screen saver message(s) context must be kept within appropriate professional business language.

Only preloaded (manufacturer preloaded) game software is permitted on City computers. Department Directors may exercise their own discretion in having these games removed. Requests for software removal should be routed to the M.I.S. Division via the online Help Desk feature. PC Systems in the possession of the City Council are an exception.

With regard to unauthorized software installation, M.I.S. will restore a standard software configuration workstation to the last known configuration recorded. Unauthorized changes to the configuration of any workstation will be reported to the M.I.S. Manager and the employee's immediate supervisor. Continued unauthorized changes will be reported to the employee's Department Director, and the Personnel Division.

D. Personal Use of Computers

The use of all City computing equipment is restricted to official City business. Under no circumstances shall City PC equipment be used for any commercial promotional service, personal business, employee organizational business, or to communicate any material of a political, religious, obscene, or derogatory nature. Notwithstanding the above, the City will tolerate a limited exception for occasional de minimis use of the e-mail system and access to the Internet for personal use, provided it does not violate specific restrictions referenced in Item II, Section C, or elsewhere in this Policy. Each Department Director or supervisor shall have the responsibility to ensure that employees do not violate or abuse this limited exception. Furthermore, with the prior consent of the Chief of Police, the Chief of Fire or the City Manager, employee organizations may use the e-mail systems for the dissemination of information whose primary purpose does not include labor negotiations, organizing or politicking.

E. Copyright Infringement

It is City policy to abide by all applicable copyright laws. Chapter 5 of Public Law 94-553 (Title 17, United States Code) is the Copyright Law that deals with copyright protection and remedies for the infringement of that copyright. "The statute for copyright infringement allows... for the collection of up to \$100,000 per copyright infringement for willful infringement, plus attorney's fees." The City's strict policy of adherence is to comply with all legal and audit requirements and to insure that the spirit and letter of the laws of copyright and trademark protection are followed in order to protect the City from civil and/or criminal penalties. All software licenses will be stored in the M.I.S. Division. No individual is to keep original copies of software licenses in their personal possession. City employees shall not post material on Internet or Intranet services or send material via e-mail which is copyrighted by a party other than the City. City employees shall not download copyrighted materials from these services. Employees shall not transfer or use, in the performance of their duties, any proprietary or confidential information, whether or not in writing, of a former employer without that employer's written consent.

F. Personally Owned Computers

Personally owned PC's of any kind may not be connected to the City network unless approved by their Department Director and M.I.S. Only an approved PC will be repaired or diagnosed for any software or hardware related problems.

G. Security

All PC's (software, hardware, and network communications equipment) are City assets. All administrative and City code regulations pertaining to City assets also correspondingly apply.

All PC users are responsible for taking reasonable care to secure and safeguard all hardware, software, computer supplies and data, to avoid accidental damage, ensure privacy, and discourage theft and/or vandalism.

Your Department Director and M.I.S. must approve remote access from home systems to City systems. M.I.S. is responsible for configuring the software for both access and security. Only valid business needs will be approved.

All PC users are responsible for data that resides on their systems. A prudent backup plan that removes or greatly reduces exposure in the event of a total PC loss should be exercised. Portable Storage Media that contain confidential or sensitive information should always be stored in a secure location when not in use. Hard disk drive data should be backed up on a regular basis and stored in a secure location. Data stored on the network will be backed up nightly by M.I.S.

H. System Administration

Users should be aware that for purposes of providing a reasonable level of access to computer resources, it may be necessary at times for system administrators to access files in a user's assigned account. This access will be allowed in cases where either a system problem has occurred and the administrator needs to examine certain files in order to fix the problem, or there is reasonable suspicion of a violation of this policy. In addition, electronic mail messages are not secure and therefore should not be assumed to be private.

Periodic maintenance is required to keep the network functioning smoothly. It may be necessary to conduct such maintenance during work hours, at such times you may be asked to log out of the network. Please cooperate so that the network operation may be restored as soon as possible. Do not attempt to access restricted portions of the network or your operating system software. If an individual discovers, or is told of a problem with security it is their responsibility to notify MIS and their Department Director immediately.

I. Internet Security

Internet connections pose a potential threat to the integrity of the City's network. Internet access is provided by the City of Costa Mesa for City business only. Connections to the Internet will occur only through the City of Costa Mesa firewall system.

You must receive prior authorization from the M.I.S. Manager for all computer connections to the Internet, or off-site computer services. Access to off-site computer services or Internet Service Providers (ISP's), other than the City's own provider, are prohibited when the system is logged on to the City of Costa Mesa's LAN/WAN network.

J. Computer Equipment and Data

Computer Equipment and data are City property. Employees shall have no privacy rights related to this equipment and the information stored therein, e.g. e-mail.

Employees will be responsible for providing the Department Director and/or his/her designee with the required access codes, passwords, or any other information, which would facilitate access to the employee's equipment and the information stored therein. The Department Director or his/her designee may access an employee's computer at any time for legitimate City purposes.

Under no circumstances is any person having access to City computer equipment allowed to copy any programs, or any other software from any City premises for any reason without prior permission in writing from their Department Director and/or M.I.S. Management. Removal of documents created by another employee, not authorized by the originator of the document, or which include sensitive confidential data, is not allowed without prior management approval. Copying of data from desk top or lap top systems for purposes of creating a "Backup Copy" is to be done to the Network Folder designed specifically for this

purpose. Employees who are in need of assistance are directed to contact the Help Desk for further instructions.

The City reserves the right for any reason to access and disclose all messages and other electronic data sent over its e-mail system or stored in its files. The City has the right to delete or retain any or all electronic files including e-mail of a City employee who is no longer employed by the City.

K. Retention Policy

E-mail is not intended for permanent storage, and in-trays and out-trays shall be purged at a minimum of 90-days. M.I.S., upon implementation of the appropriate technology, may purge any e-mail on an automatic basis. Any e-mail that requires permanent storage or storage beyond 90 days should be transferred to a C drive file.

L. Public Records

All permanent City records, paper and electronic, are subject to the mandatory public disclosure requirements of the Public Records Act, unless subject to the exceptions under the Act, including permanent records maintained in a C drive file. Accordingly, employees should exercise care in deciding what records need to be kept on a permanent basis.

All records maintained by the City, paper or regarding whether records are subject to a Public Records Act request or a Litigation Discovery request should be directed to the City Attorney's Office.

M. Attorney-Client Privileged Communications

Some messages sent, received or stored on the City e-mail system will constitute confidential, privileged communications between the City and its attorneys. Attorney-client communications should not be forwarded without consulting the City Manager's Office and/or the City Attorney's Office.

N. Confidential Information

Most communication among City employees is not considered confidential. However, certain communications, such as police investigations and personnel records, may be confidential or contain confidential information. Questions about whether communications are confidential should be raised with the employee's supervisor or the City Attorney's Office.

Employees shall exercise caution in sending confidential information on the e-mail system as compared to written memoranda, letters or phone calls, because of the ease with which such information may be retransmitted. Confidential information should not be sent or forwarded to individuals or entities not authorized to receive that information and should not be sent or forwarded to other City employees not directly involved with the specific matter.

Care should be taken in using e-mail to ensure messages are not inadvertently sent to the wrong individual. In particular, exercise care when using distribution lists to make sure all addressees are appropriate recipients of the information. Employees shall not discuss confidential information outside of the workplace.

Confidential information should not be reproduced unnecessarily. Employees shall return all tangible forms of confidential information to the City upon termination of employment or at the City's request.

O. Employee Responsibilities

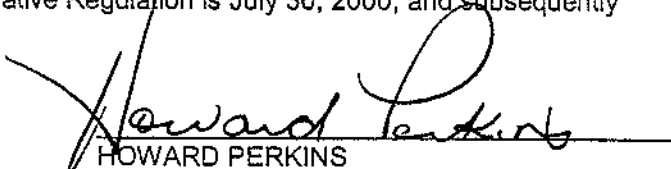
1. Employees shall not enter or attempt to enter computer files and communications of another individual without the employee's authorization or consent, or the consent of the Department Director or, as necessary, the City Manager's Office.
2. Suspected or identified security violations shall be reported to M.I.S. Violators may lose Internet access and may be subject to disciplinary action.
3. Employees shall not use re-mailing services, or use "anonymous" or "aliases" to protect their individual identities while using City information technology systems or equipment.
4. Employees should regularly change their individual passwords. Employees shall not share individual passwords with other individuals except for legitimate City business reasons.
5. Unauthorized employees shall not use, or attempt to use, another employee's password without the employee's consent.
6. All communications should follow proper etiquette, such as:
 - a. Materials posted by City employees shall professionally represent the City of Costa Mesa. The transmission of defamatory, obscene, offensive or harassing messages, or messages that disclose personal information without authorization is prohibited.
 - b. E-mail messages and electronic postings may be read by people beyond the addressee, and upon request may be produced to a court in connection with litigation and should be composed accordingly.
7. Employees shall not send mass electronic mail messages on a "City-wide" basis to all employees without prior written authorization of the Division Manager or higher level management, or designee.
8. Employees should carefully consider the names on a mailing list as addressees or copies. Some employees may not want their e-mail addresses to be widely known or to receive responses to widely distributed messages.
9. Misaddressed e-mail shall be sent back to the original sender with a message that the message has been misaddressed, and the original deleted. However, if the misaddressed electronic mail is offensive, inappropriate or otherwise in violation of this policy, the misaddressed e-mail shall be forwarded to the sender's Department Director or designee for appropriate action.
10. Employees shall comply with the rules, regulations and policies applicable to any network, server, computer database, web site, newsgroup or ISP that they access through the City of Costa Mesa services.
11. Employees shall not operate their computers in the following manner: 1) to abuse or violate the privacy or property rights of others; 2) to attempt to break security,


or in fact, to break security of any computer network, or to access an account that does not belong to the Employee; and 3) to mail-bomb, or send mass amounts of e-mails to one recipient or system with the intent to render said system dysfunctional, for any reason.

12. Employees shall exercise care when choosing from which sites files are downloaded so as to minimize the potential risk of a virus infection.
13. A violation of this policy and any of the procedures described above may result in disciplinary action, including, but not limited to, termination of employment.
14. All employees shall receive a copy of this policy upon commencement of employment with the City and upon any substantial revision of the policy. Employees shall review this policy and may consult with MIS regarding any terms and conditions that s/he does not understand. All employees shall sign a declaration, in a form substantially similar to that attached hereto, that states that the employee has received a copy of the policy, reviewed it and understand its terms and conditions.

IV. Effective Date:

The effective date of this Administrative Regulation is July 30, 2000, and subsequently revised October 29, 2004


HOWARD PERKINS
Acting Administrative Services Director


ALLAN L. ROEDER
City Manager

FORM OF DECLARATION REGARDING
CITY ADMINISTRATIVE REGULATION 6.1:
PERSONAL COMPUTER POLICY

I have received a copy of the City's Administrative Regulation 6.1: Personal Computer Policy (the "Personal Computer Policy"), as revised October 29, 2004. I have reviewed the Personal Computer Policy and I understand its terms and conditions.

Signature

Department

Printed Name

Date

LIABILITY CLAIMS PROCEDURES

I. Purpose

The City of Costa Mesa is self-insured for liability claims and contracts with a third party claims administration company as the City's agent in adjusting these claims. The following procedure is intended to promptly process, evaluate and resolve claims in the most effect manner.

II. Loss Reporting

A. The most important aspect of effective claims management is the prompt reporting and thorough investigation of losses. Delays in reporting and insufficient investigations may result in increased costs and needless litigation.

1. All incidents which occur on City property or involve City employees or equipment or City right of way from which a claim could result, or in which the City could be held liable, should be reported to Risk Management.

The report should include the following:

- Name, address and phone number of reporting party
 - Date and time of the incident
 - Exact location of the incident
 - Name of person(s) sustaining injury
 - Description of the injuries and complaints
 - Description of property involved (if vehicle: make, model and year)
 - Description of property damage
 - Description of how the incident occurred
 - Names, addresses and phone numbers of witnesses
2. All reports should be completed and submitted within 72 hours of the incident. Incidents involving a fatality, shall be reported immediately to Risk Management. "Immediately" is defined as any time, day or night, within minutes of such accident. The City Communications Dispatch Center has contact information for the on call Risk Management representative. Incidents resulting in the hospitalization of a third party, or property damage in excess of \$25,000 should be reported to Risk Management within 24 hours of occurrence. In some situations, the Risk Management representative may send an investigator to the scene to begin data collection and investigation.
 3. In all traffic collision incidents involving City vehicles or on duty City employees, the official or employee shall immediately notify the Police

Department and request the presence of an officer for the purpose of filing a Traffic Accident Report.

4. After the initial reporting, any documents, police reports, correspondence, telephone calls, inquiries from interested parties or other information regarding the incident should be forwarded to Risk Management. The source of such material (how and when received and from whom received) may also be important and should be provided.

III. Claim Presentation

- A. A claimant, or their attorney, is required to file a claim with the City Clerk in accordance with the relevant sections of the Costa Mesa Municipal Code and California Government Code. If by mistake the claim is sent to any other City personnel, the date, time and place of receipt should be noted and such documents forwarded to the City Clerk's office immediately for proper disposition.
- B. The City Clerk shall receive and log all claims. A copy of the claim shall be promptly forwarded to Risk Management for review and processing. Risk Management shall advise the City Clerk if action to return the claim as late or insufficient should be taken, or, if action to reject the claim has been taken by the Human Resources Manager or Insurance Committee as permitted by the Costa Mesa Municipal code.
- C. All written notices pertaining to claim insufficiency, late claims, or claim rejection shall be timely given in accordance with the relevant California Government Code or Costa Mesa Municipal Code provisions.
- D. Any City personnel who receives any correspondence from a third party which requests monetary compensation for bodily injury, personal injury or damages to property allegedly suffered as a result of some City act, failure to act, or condition of public property, should immediately forward a copy of such correspondence to Risk Management for review to determine if the correspondence constitutes a claim under the California Government Code. Departments should first contact Risk Management before responding to such correspondence.

IV. Claim Investigation

- A. When notice of a loss is received, either through an incident report or a claim filing, it is essential that the preliminary investigation be immediately initiated by Risk Management, or the third party claims administration company
 1. The involved department shall provide the following information within two weeks after a request for a departmental report is received from the City Clerk or Risk Management:

- Names, addresses and phone numbers of any employee involved in the incident.
 - Copies of any reports filed on the incident.
 - Whether or not the City controls the location of the loss; identity of controlling entity.
 - If applicable, a description of the loss location, a diagram, copies of plans, blueprints, etc. of the loss location.
 - If the loss occurred on City property, the date it was constructed, name and address of contractor who designed and/or constructed the area, copies of contracts, agreements and insurance certificates pertaining to the construction of the area.
 - Maintenance schedule and agreements.
 - List of similar incidents or complaints; accident history.
 - If possible, photographs of the area
 - Any other information that addresses specific allegations or circumstances of the loss/claim.
2. In order to ensure the confidentiality of the information gathered as a result of a claim or loss notice, the report submitted by the department should be stamped "Confidential" and contain the following statement under the heading: "Prepared for Claim Investigation Purposes in Anticipation of Litigation".
 3. It is important that City personnel give no information concerning accidents or claims to anyone other than Risk Management, City Attorney, or their authorized representatives. Requests for information, City records, or the statementizing of City employees from outside sources should be referred to Risk Management.

V. Lawsuits

Upon service of a Summons and Complaint (by mail or personal service), the City Clerk and/or individual employee receiving it must immediately transmit these papers to the City Attorney and Human Resources Manager with details as to date, time, place and how served.

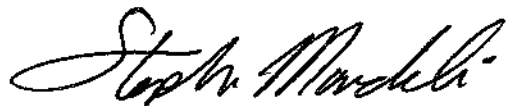
VI. Claims Settlement/Rejection Authority

The City Municipal Code authorizes the City Council and City Manager, or their designee, to settle or reject claims depending on their amount. The current claims settlement and rejection authority is:

Rejection of all claims:	Human Resources Manager
Settlement up to \$5,000	Human Resources Manager or Human Resources Administrator
Settlement up to \$25,000	Human Resources Manager with City Manager approval
Settlement up to \$50,000	Insurance Committee
Settlement above \$50,000	City Council

VII. Effective Date

The effective date of this Administrative Regulation is September 1, 1981, subsequently revised on July 30, 2000, and revised on September 17, 2007.



STEPHEN N. MANDOKI
ADMINISTRATIVE SERVICES DIRECTOR



ALLAN L. ROEDER
CITY MANAGER

**MOTOR VEHICLE ACCIDENT REVIEW BOARD
(Non-Safety Employees)**

II. PURPOSE AND SCOPE:

The purpose of the Motor Vehicle Accident Review Board (MVARB) is to thoroughly and objectively investigate all motor vehicle incidents involving city vehicles in order to determine the proximate, or root, cause(s) of the accident. The desired outcome is that knowing the proximate causes of the incident can lead to a determination of appropriate corrective action(s), that can, in turn, prevent future incidents of similar nature from occurring. Preventing vehicle incidents involving City vehicles is a desired goal for the benefit of City employees, City resources, the citizenry, and the taxpayers.

The primary intent of this investigative process is *not* fault finding, but *fact* finding. All incidents are unfortunate events, but the largest advantage of an incident is the hope that the root causes of the incident can be determined so that future, similar incidents can be prevented. Possible causes can involve: street and traffic markings in need of repair, private property involving an unsafe hazard, City vehicle equipment in need of repair or modification, changes to operational procedures, or the negligent acts of another driver, pedestrian, or coworker.

Potential corrective action can involve: Repair of City facilities, roadways, or vehicles; requests for City inspectors to investigate potential violations of building codes or zone use regulations; support for the Police Department to cite the driver causing the incident; suggestions that the City driver take a defensive driving class; or, recommendations for specific disciplinary action to the driver's supervisor.

The scope of the MVARB is to review all incidents involving City vehicles, with the exception of Police and Fire emergency vehicles operated by sworn employees which have their own vehicle incident investigative process.

III. DEFINITIONS

- A. **Vehicle** - A vehicle is any piece of City equipment which is self-propelled and the operator rides on or in the equipment, or, which is attached to such self-propelled equipment.
- B. **Preventable** - A vehicle incident is considered preventable if it is determined that the City vehicle driver, through use of reasonable actions, could have avoided the incident, in spite of the actions of others. This does not mean that the proximate cause of the incident was due to the actions of the City vehicle driver, but rather, that the City vehicle driver could have avoided the incident through use of "reasonable" actions, such as evasive maneuvers made possible through the practice of maintaining proper following distances, alertness to conditions, etc.
- C. **Vehicle Incident** - A vehicle incident subject to the review of the MVARB is when an incident involving a City vehicle occurs that involved either i.) property damage to the City vehicle, property damage to another vehicle, or other object, such as a fence, pole, etc. - whether City property or private property; and/or ii) bodily injury involving the City vehicle driver, any occupant of the City vehicle, or occupant of another vehicle involved with the incident, or a pedestrian or other foot traffic involved with the incident.

A vehicle incident also includes a "near miss", where evasive action was taken by a City vehicle driver in order to avoid a probable vehicle accident. The vehicle incident reporting and investigation process thereby becomes a mechanism to prevent future "near misses" from becoming an actual vehicle accident. This allows the driver to pursue a formal procedure for investigating an unsafe condition or practice currently in effect and needing correction.

IV. PROCEDURES

A. **Reporting** - When a vehicle incident involving a City vehicle occurs, the driver is required to immediately report the incident to their supervisor, under the provisions of A.R. 6.2, and complete a Vehicle Incident Report. The Supervisor shall assure that the report is complete, and obtain witness statements, if available. Failure to report a vehicle incident is considered a serious violation.

B. **Reporting Process** - The supervisor, in reporting the vehicle incident, will indicate on the report if the vehicle incident needs to be reported to the MVARB for review and investigation. The MVARB Executive Secretary will log the vehicle incident, and will schedule the hearing accordingly. During this process, if and when it becomes known that the case has become the subject of litigation, the investigative process of the MVARB will cease. The defense of the litigation will involve an adequate investigative process. This will avoid double investigation of the incident, and also avoid compromising the MVARB process due to concerns for the outcome of the litigation.

If the incident involved serious injuries and appears by the supervisor to have been caused by the negligent or egregious behavior of the driver of the City vehicle, the supervisor shall exercise discretion in considering the removal of the employee from driving a City vehicle, or taking immediate disciplinary action.

C. **Attendance** - The Board may request appearance of the driver involved or witnesses and a copy of the police report, accident form, and mechanical inspection report from the Equipment Maintenance Supervisor. The employee may bring a witness, co-worker, supervisor, or other representative of the employee's choosing when appearing before the Board. The employee's department will schedule employees to appear as requested by the Review Board and/or the driver.

D. **Accident Investigation Techniques** - Factors to consider by the MVARB in conducting a thorough accident investigation are:

1. The sequence of events that lead up to the incident, not just the immediate factors surrounding the incident, such as the illegal or unsafe acts of an uninvolved third party (example: pedestrian suddenly steps into flow of traffic outside of established crosswalks, causing another vehicle to swerve to avoid the pedestrian, which in turn, causes the City vehicle to collide with that vehicle).
2. Contributing factors, such as obstructions to any drivers' view, weather conditions, condition of City vehicle, or other vehicle involved with the incident. The actions of any other drivers involved with the Incident shall also be considered.
3. In determining the proximate causes of the vehicle incident, the MVARB shall fully evaluate the interaction of factors and sequence of events that led to the incident. The Vehicle Incident Evaluation Report form shall be used as a guideline and for the purpose of consistency in investigating all vehicle incidents.

E. **Grading Factors for Seriousness** - Factors to consider when grading the seriousness of the Incident on the evaluation report, and are as follows:

1. INCIDENT FACTORS

a. Type of vehicle accident:

1. Pedestrian
2. Other Motor Vehicle
 - a. Angle Collision
 - b. Head-on Collision
 - c. Rear-end Collision
 - d. Other Two-Vehicle Collision
3. Railroad
4. Pedal cycle
5. Animal, Animal-Drawn Vehicle
6. Backing
7. Fixed Object
8. Noncollision

b. Driver Factors

1. Nature of Unsafe Act:
 - a. Violation of California Vehicle Code
 - b. Violation of Written Policies and Procedures
 - c. Violation of Safety Rule
2. Related Driver Factors:
 - a. Length of time working for the City driving a city vehicle
 - b. Percent of total workday spent driving a city vehicle
 - c. Number of previous vehicle incidents, and their outcome
 - d. Evaluation of current Motor Vehicle Report, obtained from the DMV
 - e. Attitude and cooperation displayed by the City vehicle driver
 - f. Previous defensive driving training or other specialized training that would enable the driver to better avoid an incident.

c. Other Incident Factors - Other factors related to the incident

1. Error of other driver (violation of CA Vehicle Code, citation by officer, inattention of other driver, etc.)
2. Condition/Hazards of City Vehicle (poor field of vision, equipment defect, etc.)
3. Other conditions (road hazard, wet, obstruction, etc.)

- F. Recommendations for Disciplinary Action** - Disciplinary action against an employee as the result of a preventable vehicle incident will be considered in cases where the driver should have prevented the incident. The MVARB will make recommendations for disciplinary action, to facilitate fairness and consistency being applied equally to all drivers of City vehicles. Any disciplinary action recommended will be consistent with Rule 26 of the City of Costa Mesa Personnel Rules and Regulations regarding disciplinary action. The MVARB will offer its opinion on the preventability of the incident, and grade the factors to determine the specific level of discipline recommended. The supervisor may await the outcome of the MVARB hearing to determine the level of discipline recommended. However, if the vehicle incident involved an egregious act, such as running a red light, the supervisor may need to take

immediate action. This may involve either removing the employee from operating a vehicle, putting the employee on Administrative Leave, or time off without pay.

G. Membership on MVARB

- a. The following City personnel will comprise the six person Motor Vehicle Accident Review Board. Members shall serve for a two-year term and may serve a maximum of two consecutive terms on the Board. A chairperson will be elected by a majority vote of the Board and shall serve for a one-year period.

- One Senior Maintenance Worker - Community Services
- One Senior Maintenance Worker - Public Services
- One Code Enforcement Officer or "Inspector" classification - Development Services
- One Non-Sworn Classification - Police Department
- One Non-Sworn Classification - Fire Department
- Risk Manager

The Risk Manager will act as Executive Secretary and will supply the Board with all relevant records and materials. Further, he/she is responsible for recording and maintaining the necessary records reflecting the results of the Board's findings and evaluations. The Executive Secretary will not take an active part in the decision making process pertaining to the disposition of any case before Board, except in breaking a tie vote.

- b. Prior to acting on any cases brought before the MVARB, every new member shall receive training on accident investigation techniques that includes methods of defensive driving, as well as accident investigation. A new member shall also observe a session of the MVARB prior to acting and voting as a member.

H. Meetings

The Board will convene once a month or as needed. The time will be designated. Special meetings may be called by the Executive Secretary to review any serious accidents after all necessary facts are known.

VII. EFFECTIVE DATE

The effective date of this revised Administrative Regulation is April 10, 1983 and subsequently revised July 30, 2000.


STEVEN E. HAYMAN
ADMINISTRATIVE SERVICES DIRECTOR


ALLAN L. ROEDER
CITY MANAGER

VEHICLE INCIDENT EVALUATION REPORT

This report form shall be used in order to objectively evaluate the factors involved with the investigation and review of a Vehicle Incident involving a City vehicle.

I. INCIDENT FACTORS

- A. **Type of Incident** - The following classification system is used by the National Safety Council in the analysis of vehicle accidents, and compiles national statistics according to these categories.

Collision Involving:

1. Pedestrian
2. Other Motor Vehicle - Angle Collision
3. Other Motor Vehicle - Head-on Collision
4. Other Motor Vehicle - Read-end Collision
5. Other two-vehicle collision
6. Railroad Train
7. Pedal cycle
8. Animal, Animal-Drawn Collision
9. Backing
10. Fixed Object
11. Non-Collision

type of accident

B. Driver Factors

1. Nature of Unsafe Act(s)
 - a. Violation of CA Vehicle Code (w/ or w/out a citation)
 - b. Violation of Written Company Policy or Procedure
 - c. Violation of Safety Rule
 - d. Inattention
 - e. Fatigue/Illness
 - f. Poor Judgment

(nature)

2. Related Driver Factors
 - a. Number of years driving City Vehicle
 - b. Percent of time spent driving City Vehicle
 - c. Review of DMV Driving Record

- d. Number of Previous Preventable Incidents _____
- e. Previous Safety Training and/or Counseling _____
- f. Attitude and Cooperation of City Driver _____

C. Other Incident Factors - Other factors related to the incident

- 1. Error of other driver (violation of CA Vehicle Code, citation by officer, inattention of other driver, etc.) _____
- 2. Condition/Hazards of City Vehicle (poor field of vision, equipment defect, etc.) _____
- 3. Other conditions (road hazard, wet, obstruction, etc.) _____

D. Summary of Disciplinary Action Factors

POSITIVE FACTORS: _____

NEGATIVE FACTORS: _____

CONCLUSION: The MVARB recommends the following disciplinary action: _____

OTHER CORRECTIVE ACTIONS RECOMMENDED: _____

Signature MVARB Executive Secretary

Print Name

Date

Follow Up Action:

Supervisor Review: _____ Date: _____

Action Taken: _____

(Supervisor: Please return a copy to MVARB Executive Secretary following your review and action)